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Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

★ Council Decision (EU) 2015/1030 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Democratic Republic of Timor-Leste on the short-stay visa waiver	1
Agreement between the European Union and the Democratic Republic of Timor-Leste on the short-stay visa waiver	3
★ Council Decision (EU) 2015/1031 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Saint Lucia on the short-stay visa waiver	10
Agreement between the European Union and Saint Lucia on the short-stay visa waiver	12
★ Council Decision (EU) 2015/1032 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Commonwealth of Dominica on the short-stay visa waiver	19
Agreement between the European Union and the Commonwealth of Dominica on the short-stay visa waiver	21
★ Council Decision (EU) 2015/1033 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Grenada on the short-stay visa waiver	28
Agreement between the European Union and Grenada on the short-stay visa waiver	30

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Council Decision (EU) 2015/1034 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Saint Vincent and the Grenadines on the short-stay visa waiver	37
Agreement between the European Union and Saint Vincent and the Grenadines on the short-stay visa waiver	39
★ Council Decision (EU) 2015/1035 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver	46
Agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver	48
★ Council Decision (EU) 2015/1036 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Independent State of Samoa on the short-stay visa waiver	55
Agreement between the European Union and the Independent State of Samoa on the short-stay visa waiver	57
★ Council Decision (EU) 2015/1037 of 7 May 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Trinidad and Tobago on the short-stay visa waiver	64
Agreement between the European Union and the Republic of Trinidad and Tobago on the short-stay visa waiver	66

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2015/1030

of 7 May 2015

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Democratic Republic of Timor-Leste on the short-stay visa waiver

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and of the Council ⁽¹⁾ transferred the reference to the Democratic Republic of Timor-Leste from Annex I to Annex II to Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to the Democratic Republic of Timor-Leste is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with the Democratic Republic of Timor-Leste for the conclusion of an agreement between the European Union and the Democratic Republic of Timor-Leste on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 19 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 15 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽¹⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Democratic Republic of Timor-Leste on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽²⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ 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).

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Democratic Republic of Timor-Leste on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE, hereinafter referred to as 'Timor-Leste',

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, inter alia, transferring 19 third countries, including Timor-Leste, to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Timor-Leste on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Timor-Leste when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Timor-Leste' shall mean any person who holds the citizenship of Timor-Leste;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Timor-Leste for the period of stay as defined in Article 4(1).

Citizens of Timor-Leste holding a valid ordinary, diplomatic, service, official or special passport issued by Timor-Leste may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Timor-Leste or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Timor-Leste may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Timor-Leste reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Timor-Leste.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Timor-Leste for a maximum period of 90 days in any 180-day period.

2. Citizens of Timor-Leste may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Timor-Leste may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Timor-Leste and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

Article 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

⁽¹⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

*Article 6***Joint Committee for the management of the Agreement**

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Timor-Leste. The Union shall be represented by the European Commission.
2. The Committee shall have, inter alia, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
 - (c) settling disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

*Article 7***Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Timor-Leste**

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Timor-Leste, in so far as they cover issues falling within the scope hereof.

*Article 8***Final provisions**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.


This Agreement shall be applied on a provisional basis as from the date of signature hereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Timor-Leste may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

Съставено в Брюксел на двадесет и осми май две хиляди и петнадесета година.
Hecho en Bruselas, el veintiocho de mayo de dos mil quince.
V Bruselu dne dvacátého osmého května dva tisíce patnáct.
Udfærdiget i Bruxelles den otteogtyvende maj to tusind og femten.
Geschehen zu Brüssel am achtundzwanzigsten Mai zweitausendfünfzehn.
Kahe tuhande viieteistkümnenda aasta maikuu kahekümne kaheksandal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι οκτώ Μαΐου δύο χιλιάδες δεκαπέντε.
Done at Brussels on the twenty-eighth day of May in the year two thousand and fifteen.
Fait à Bruxelles, le vingt-huit mai deux mille quinze.
Sastavljeno u Bruxellesu dvadeset osmog svibnja dvije tisuće petnaeste.
Fatto a Bruxelles, addì ventotto maggio duemilaquindici.
Briselē, divi tūkstoši piecpadsmītā gada divdesmit astotajā maijā.
Priimta du tūkstančiai penkioliktą metų gegužės dvidešimt aštuntą dieną Briuselyje.
Kelt Brüsszelben, a kétézer-tizenötödik év május havának huszonnyolcadik napján.
Magħmul fi Brussell, fit-tmienja u għoxrin jum ta' Mejju tas-sena elfejn u ħmistax.
Gedaan te Brussel, de achtentwintigste mei tweeduizend vijftien.
Sporządzono w Brukseli dnia dwudziestego ósmego maja roku dwa tysiące piętnastego.
Feito em Bruxelas, em vinte e oito de maio de dois mil e quinze.
Întocmit la Bruxelles la douăzeci și opt mai două mii cincisprezece.
V Bruseli dvadsiateho ôsmeho mája dvetisícpätnást'.
V Bruslju, dne osemindvajsetega maja leta dva tisoč petnajst.
Tehty Brysselissä kahdentenäkymmenentenäkahdeksantena päivänä toukokuuta vuonna kaksituhattaviisitoista.
Som skedde i Bryssel den tjugoåttonde maj tjugohundrafemton.

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā —
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen


 7.12.16/0-5

За Демократична република Източен Тимор
 Por la República Democrática de Timor Oriental
 Za Demokratickou republiku Východní Timor
 For Den Demokratiske Republik Timor-Leste
 Für die Demokratische Republik Timor-Leste
 Timor-Leste Demokraatliku Vabariigi nimel
 Για τη Δημοκρατία του Τιμόρ-Λέστε
 For the Democratic Republic of Timor-Leste
 Pour la République démocratique du Timor-Oriental
 Za Demokratsku Republiku Timor-Leste
 Per la Repubblica democratica di Timor Leste
 Austrumtimoras Demokrātiskās Republikas vārdā
 Rytų Timoro Demokratinės Respublikos vardu
 A Kelet-timori Demokratikus Köztársaság részéről
 Għar-Repubblika Demokratika ta' Timor Leste
 Voor de Democratische Republiek Oost-Timor
 W imieniu Demokratycznej Republiki Timoru Wschodniego
 Pela República Democrática de Timor-Leste
 Republica Democratică a Timorului de Est
 Za Východotimorskú demokratickú republiku
 Za Demokratično Republiko Vzhodni Timor
 Itä-Timorin demokraattisen tasavallan puolesta
 För Demokratiska republiken Östtimor


 26/6/2015

JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Timor-Leste, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad-hoc basis,
- journalists sent by the media of their country of residence, and,
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. Inter alia, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and the nationals of Timor-Leste, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1031**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Saint Lucia on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and the Council ⁽¹⁾ transferred the reference to Saint Lucia from Annex I to Annex II of Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to Saint Lucia is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with Saint Lucia for the conclusion of an agreement between the European Union and Saint Lucia on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 12 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 11 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and Saint Lucia on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

The text of the Agreement is attached to this Decision.

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council

The President

E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and Saint Lucia on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

SAINT LUCIA,

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, *inter alia*, transferring 19 third countries, including Saint Lucia to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Saint Lucia on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Saint Lucia when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Saint Lucia' shall mean any person who holds the citizenship of Saint Lucia;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Saint Lucia for the period of stay as defined in Article 4(1).

Citizens of Saint Lucia holding a valid ordinary, diplomatic, service, official or special passport issued by Saint Lucia may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Saint Lucia or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Saint Lucia may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Saint Lucia reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Saint Lucia.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Saint Lucia for a maximum period of 90 days in any 180-day period.

2. Citizens of Saint Lucia may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Saint Lucia may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Saint Lucia and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

Article 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

⁽¹⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

*Article 6***Joint Committee for the management of the Agreement**

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Saint Lucia. The Union shall be represented by the European Commission.
2. The Committee shall have, *inter alia*, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
 - (c) making recommendations for the settlement of disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

*Article 7***Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Saint Lucia**

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Saint Lucia, in so far as they cover issues falling within the scope hereof.

*Article 8***Final provisions**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the date of signature thereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Saint Lucia may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

Съставено в Брюксел на двадесет и осми май две хиляди и петнадесета година.

Hecho en Bruselas, el veintiocho de mayo de dos mil quince.

V Bruselu dne dvacátého osmého května dva tisíce patnáct.

Udfærdiget i Bruxelles den otteogtyvende maj to tusind og femten.

Geschehen zu Brüssel am achtundzwanzigsten Mai zweitausendfünfzehn.

Kahe tuhande viieteistkümnenda aasta maikuu kahekümne kaheksandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι οκτώ Μαΐου δύο χιλιάδες δεκαπέντε.

Done at Brussels on the twenty-eighth day of May in the year two thousand and fifteen.

Fait à Bruxelles, le vingt-huit mai deux mille quinze.

Sastavljeno u Bruxellesu dvadeset osmog svibnja dvije tisuće petnaeste.

Fatto a Bruxelles, addì ventotto maggio duemilaquindici.

Briselē, divi tūkstoši piecpadsmitā gada divdesmit astotajā maijā.

Priimta du tūkstančiai penkioliktą metų gegužės dvidešimt aštuntą dieną Briuselyje.

Kelt Brüsselben, a kétezer-tizenötödik év május havának huszonnyolcadik napján.

Magħmul fi Brussell, fit-tmienja u għoxrin jum ta' Mejju tas-sena elfejn u ħmistax.

Gedaan te Brussel, de achtentwintigste mei tweeduizend vijftien.

Sporządzono w Brukseli dnia dwudziestego ósmego maja roku dwa tysiące piętnastego.

Feito em Bruxelas, em vinte e oito de maio de dois mil e quinze.

Íntocmit la Bruxelles la douăzeci și opt mai două mii cincisprezece.

V Bruseli dvadsiateho ôsmeho mája dvetisícpatnásť.

V Bruslju, dne osemindvajsetega maja leta dva tisoč petnajst.

Tehty Brysselissä kahdentenäkymmenentenäkahdeksantena päivänä toukokuuta vuonna kaksituhattaviisitoista.

Som skedde i Bryssel den tjugoåttonde maj tjugohundrafemton.

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europejską uniję
 Per l'Unione europea
 Eiropas Savienības vārdā —
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Ghall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Lucia Lakshya Lawrence



За Сейнт Лусия
 Por Santa Lucía
 Za Svatou Lucii
 For Saint Lucia
 Für St. Lucia
 Saint Lucia nimel
 Για του Άγιο Λουκία
 For Saint Lucia
 Pour Sainte-Lucie
 Za Svetu Luciju
 Per Santa Lucia
 Sentlūsijas vārdā –
 Sent Lusijos vardu
 Saint Lucia részéről
 Għal Saint Lucia
 Voor Saint Lucia
 W imieniu Saint Lucia
 Por Santa Lúcia
 Pentru Saint Lucia
 Za Svätú Luciu
 Za Svetu Lucijo
 Saint Lucian puolesta
 För Saint Lucia



JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Saint Lucia, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad-hoc basis,
- journalists sent by the media of their country of residence, and,
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. *Inter alia*, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and Saint Lucia, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1032**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Commonwealth of Dominica on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and of the Council ⁽¹⁾ transferred the reference to the Commonwealth of Dominica from Annex I to Annex II to Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to the Commonwealth of Dominica is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with the Commonwealth of Dominica for the conclusion of an agreement between the European Union and the Commonwealth of Dominica on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 12 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 11 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Commonwealth of Dominica on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Commonwealth of Dominica on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

THE COMMONWEALTH OF DOMINICA, hereinafter referred to as 'Dominica',

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, inter alia, transferring 19 third countries, including Dominica to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Dominica on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Dominica when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Dominica' shall mean any person who holds the citizenship of Dominica;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Dominica for the period of stay as defined in Article 4(1).

Citizens of Dominica holding a valid ordinary, diplomatic, service, official or special passport issued by Dominica may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose the visa requirement on the citizens of Dominica or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Dominica may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Dominica reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Dominica.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Dominica for a maximum period of 90 days in any 180-day period.

2. Citizens of Dominica may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Dominica may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Dominica and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

Article 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

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*Article 6***Joint Committee for the management of the Agreement**

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Dominica. The Union shall be represented by the European Commission.
2. The Committee shall have, inter alia, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
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3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

*Article 7***Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Dominica**

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Dominica, in so far as they cover issues falling within the scope hereof.

*Article 8***Final provisions**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the date of signature hereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Dominica may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

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Hecho en Bruselas, el veintiocho de mayo de dos mil quince.
V Bruselu dne dvacátého osmého května dva tisíce patnáct.
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 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Franda Kaluina-Suaveica .



За Доминиканската общност
 Por la Commonwealth de Dominica
 Za Dominické společenství
 For Commonwealth of Dominica
 Für das Commonwealth Dominica
 Dominica Ühenduse nimel
 Για την Κοινοπολιτεία του Δομίνικου
 For the Commonwealth of Dominica
 Pour le Commonwealth de Dominique
 Za Zjednicu Dominike
 Per il Commonwealth di Dominica
 Dominikas Sadraudzības vārdā –
 Dominikos Sandraugos vardu
 A Dominikai Közösség részéről
 Ghall-Commonwealth ta' Dominica
 Voor het Gemenebest Dominica
 W imieniu Wspólnoty Dominiki
 Pela Comunidade da Domínica
 Pentru Uniunea Dominica
 Za Dominické spoločenstvo
 Za Zvezu Dominika
 Dominican liittovaltion puolesta
 För Samväldet Dominica

Francine Jaxon

JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, Liechtenstein, on the one hand, and Dominica, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
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The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. Inter alia, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and Dominica, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1033**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Grenada on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and the Council ⁽¹⁾ transferred the reference to Grenada from Annex I to Annex II of Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to Grenada is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with Grenada for the conclusion of an agreement between the European Union and Grenada on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 12 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 9 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and Grenada on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and Grenada on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

GRENADA,

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement⁽¹⁾ by, *inter alia*, transferring 19 third countries, including Grenada to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Grenada on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Grenada when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Grenada' shall mean any person who holds the citizenship of Grenada;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Grenada for the period of stay as defined in Article 4(1).

Citizens of Grenada holding a valid ordinary, diplomatic, service, official or special passport issued by Grenada may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Grenada or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Grenada may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Grenada reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Grenada.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Grenada for a maximum period of 90 days in any 180-day period.

2. Citizens of Grenada may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Grenada may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Grenada and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

Article 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

⁽¹⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

*Article 6***Joint Committee for the management of the Agreement**

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Grenada. The Union shall be represented by the European Commission.
2. The Committee shall have, *inter alia*, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
 - (c) making recommendations for the settlement of disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

*Article 7***Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Grenada**

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Grenada, in so far as they cover issues falling within the scope hereof.

*Article 8***Final provisions**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the date of signature thereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Grenada may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

Съставено в Брюксел на двадесет и осми май две хиляди и петнадесета година.

Hecho en Bruselas, el veintiocho de mayo de dos mil quince.

V Bruselu dne dvacátého osmého května dva tisíce patnáct.

Udfærdiget i Bruxelles den otteogtyvende maj to tusind og femten.

Geschehen zu Brüssel am achtundzwanzigsten Mai zweitausendfünfzehn.

Kahe tuhande viieteistkümnenda aasta maikuu kahekümne kaheksandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι οκτώ Μαΐου δύο χιλιάδες δεκαπέντε.

Done at Brussels on the twenty-eighth day of May in the year two thousand and fifteen.

Fait à Bruxelles, le vingt-huit mai deux mille quinze.

Sastavljeno u Bruxellesu dvadeset osmog svibnja dvije tisuće petnaeste.

Fatto a Bruxelles, addì ventotto maggio duemilaquindici.

Briselē, divi tūkstoši piecpadsmītā gada divdesmit astotajā maijā.

Priimta du tūkstančiai penkioliktą metų gegužės dvidešimt aštuntą dieną Briuselyje.

Kelt Brüsselben, a kétézer-tizenötödik év május havának huszonnyolcadik napján.

Magħmul fi Brussell, fit-tmienja u għoxrin jum ta' Mejju tas-sena elfejn u ħmistax.

Gedaan te Brussel, de achtentwintigste mei tweeduizend vijftien.

Sporządzono w Brukseli dnia dwudziestego ósmego maja roku dwa tysiące piętnastego.

Feito em Bruxelas, em vinte e oito de maio de dois mil e quinze.

Íntocmit la Bruxelles la douăzeci și opt mai două mii cincisprezece.

V Bruseli dvadsiateho ôsmeho mája dvetisícpatnásť.

V Bruslju, dne osemindvajsetega maja leta dva tisoč petnajst.

Tehty Brysselissä kahdentenäkymmenentenäkahdeksantena päivänä toukokuuta vuonna kaksituhattaviisitoista.

Som skedde i Bryssel den tjugoåttonde maj tjugohundrafemton.

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europejską uniję
 Per l'Unione europea
 Eiropas Savienības vārdā —
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Ghall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Linda Kalouza Simaeva



За Гренада
 Por Granada
 Za Grenadu
 For Grenada
 Für Grenada
 Grenada nimel
 Για τη Γρενάδα
 For Grenada
 Pour la Grenade
 Za Grenadu
 Per Grenada
 Grenādas vārdā –
 Grenados vardu
 Grenada részéről
 Għal Grenada
 Voor Grenada
 W imieniu Grenady
 Por Granada
 Pentru Grenada
 Za Grenadu
 Za Grenado
 Grenadan puolesta
 För Grenada



JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Grenada, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad-hoc basis,
- journalists sent by the media of their country of residence, and,
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. *Inter alia*, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and Grenada, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1034**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Saint Vincent and the Grenadines on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and the Council ⁽¹⁾ transferred the reference to Saint Vincent and the Grenadines from Annex I to Annex II of Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to Saint Vincent and the Grenadines is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with Saint Vincent and the Grenadines for the conclusion of an agreement between the European Union and Saint Vincent and the Grenadines on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 12 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 11 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and Saint Vincent and the Grenadines on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

The text of the Agreement is attached to this Decision.

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT

between the European Union and Saint Vincent and the Grenadines on the short-stay visa waiver

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

SAINT VINCENT AND THE GRENADINES,

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, inter alia, transferring 19 third countries, including Saint Vincent and the Grenadines, to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Saint Vincent and the Grenadines on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Saint Vincent and the Grenadines when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

Article 2

Definitions

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);
- (c) 'a citizen of Saint Vincent and the Grenadines' shall mean any person who holds the citizenship of Saint Vincent and the Grenadines;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

*Article 3***Scope of application**

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Saint Vincent and the Grenadines for the period of stay as defined in Article 4(1).

Citizens of Saint Vincent and the Grenadines holding a valid ordinary, diplomatic, service, official or special passport issued by Saint Vincent and the Grenadines may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Saint Vincent and the Grenadines or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001⁽¹⁾.

For that category of persons, Saint Vincent and the Grenadines may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Saint Vincent and the Grenadines reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Saint Vincent and the Grenadines.

*Article 4***Duration of stay**

1. Citizens of the Union may stay in the territory of Saint Vincent and the Grenadines for a maximum period of 90 days in any 180-day period.

2. Citizens of Saint Vincent and the Grenadines may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Saint Vincent and the Grenadines may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Saint Vincent and the Grenadines and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

*Article 5***Territorial application**

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

⁽¹⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

*Article 6***Joint Committee for the management of the Agreement**

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Saint Vincent and the Grenadines. The Union shall be represented by the European Commission.
2. The Committee shall have, inter alia, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
 - (c) making recommendations for the settlement of disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

*Article 7***Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Saint Vincent and the Grenadines**

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Saint Vincent and the Grenadines, in so far as they cover issues falling within the scope hereof.

*Article 8***Final provisions**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

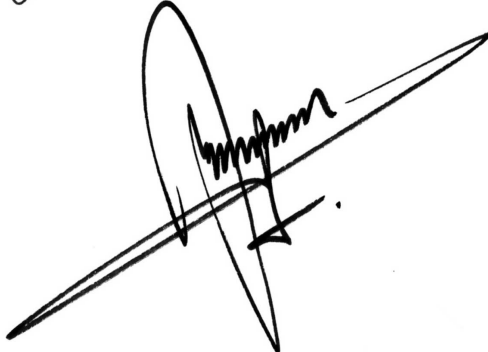
This Agreement shall be applied on a provisional basis as from the date of signature thereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Saint Vincent and the Grenadines may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

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Hecho en Bruselas, el veintiocho de mayo de dos mil quince.
V Bruselu dne dvacátého osmého května dva tisíce patnáct.
Udfærdiget i Bruxelles den otteogtyvende maj to tusind og femten.
Geschehen zu Brüssel am achtundzwanzigsten Mai zweitausendfünfzehn.
Kahe tuhande viieteistkümnenda aasta maikuu kahekümne kaheksandal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι οκτώ Μαΐου δύο χιλιάδες δεκαπέντε.
Done at Brussels on the twenty-eighth day of May in the year two thousand and fifteen.
Fait à Bruxelles, le vingt-huit mai deux mille quinze.
Sastavljeno u Bruxellesu dvadeset osmog svibnja dvije tisuće petnaeste.
Fatto a Bruxelles, addì ventotto maggio duemilaquindici.
Briselē, divi tūkstoši piecpadsmitā gada divdesmit astotajā maijā.
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Magħmul fi Brussell, fit-tmienja u għoxrin jum ta' Mejju tas-sena elfejn u ħmistax.
Gedaan te Brussel, de achtentwintigste mei tweeduizend vijftien.
Sporządzono w Brukseli dnia dwudziestego ósmego maja roku dwa tysiące piętnastego.
Feito em Bruxelas, em vinte e oito de maio de dois mil e quinze.
Întocmit la Bruxelles la douăzeci și opt mai două mii cincisprezece.
V Bruseli dvadsiateho ôsmeho mája dvetisícpatnásť.
V Bruslju, dne osemindvajsetega maja leta dva tisoč petnajst.
Tehty Brysselissä kahdentenäkymmenentenäkahdeksantena päivänä toukokuuta vuonna kaksituhattaviisitoista.
Som skedde i Bryssel den tjugoåttonde maj tjugohundrafemton.

За Европейския съюз
 Por la Unión Europea
 За Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā —
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Paula Kalviņa - Senaiteica


За Сейнт Винсѐнт и Гренадини
 Por San Vicente y las Granadinas
 Za Svätý Vincenc a Grenadíny
 For Saint Vincent og Grenadinerne
 Für St. Vincent und die Grenadinen
 Saint Vincenti ja Grenadiinide nimel
 Για του Αγίου Βικέντιο και τις Γρεναδίνες
 For Saint Vincent and the Grenadines
 Pour Saint-Vincent-et-les-Grenadines
 Za Sveti Vincent i Grenadine
 Per Saint Vincent e Grenadine
 Sentvinsentas un Grenadīnu vārdā —
 Sent Vinsento ir Grenadīnu vardu
 A Saint Vincent és Grenadine-szigetek részéről
 Għal Saint Vincent u l-Grenadini
 Voor Saint Vincent en de Grenadines
 W imieniu Saint Vincent i Grenadynów
 Por São Vicente e Granadinas
 Pentru Saint Vincent și Grenadinele
 Za Svätý Vincenc a Grenadíny
 Za Saint Vincent in Grenadine
 Saint Vincent ja Grenadiinien puolesta
 För Saint Vincent och Grenadinerna

Ali Ishmael

JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Saint Vincent and the Grenadines, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad-hoc basis,
- journalists sent by the media of their country of residence, and,
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. *inter alia*, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and Saint Vincent and the Grenadines, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1035**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and the Council ⁽¹⁾ transferred the reference to the Republic of Vanuatu from Annex I to Annex II of Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to the Republic of Vanuatu is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with the Republic of Vanuatu for the conclusion of an agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 19 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 4 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Republic of Vanuatu on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

THE REPUBLIC OF VANUATU, hereinafter referred to as 'Vanuatu',

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, inter alia, transferring 19 third countries, including Vanuatu, to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Vanuatu on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Vanuatu when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Vanuatu' shall mean any person who holds the citizenship of Vanuatu;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Vanuatu for the period of stay as defined in Article 4(1).

Citizens of Vanuatu holding a valid ordinary, diplomatic, service, official or special passport issued by Vanuatu may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Vanuatu or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Vanuatu may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Vanuatu reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Vanuatu.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Vanuatu for a maximum period of 90 days in any 180-day period.

2. Citizens of Vanuatu may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Vanuatu may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Vanuatu and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

Article 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

⁽¹⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

*Article 6***Joint Committee for the management of the Agreement**

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Vanuatu. The Union shall be represented by the European Commission.
2. The Committee shall have, inter alia, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
 - (c) settling disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

*Article 7***Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Vanuatu**

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Vanuatu, in so far as they cover issues falling within the scope hereof.

*Article 8***Final provisions**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the date of signature hereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Vanuatu may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

Съставено в Брюксел на двадесет и осми май две хиляди и петнадесета година.
Hecho en Bruselas, el veintiocho de mayo de dos mil quince.
V Bruselu dne dvacátého osmého května dva tisíce patnáct.
Udfærdiget i Bruxelles den otteogtyvende maj to tusind og femten.
Geschehen zu Brüssel am achtundzwanzigsten Mai zweitausendfünfzehn.
Kahe tuhande viieteistkümnenda aasta maikuu kahekümne kaheksandal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι οκτώ Μαΐου δύο χιλιάδες δεκαπέντε.
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Íntocmit la Bruxelles la douăzeci și opt mai două mii cincisprezece.
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Tehty Brysselissä kahdentenäkymmenentenäkahdeksantena päivänä toukokuuta vuonna kaksituhattaviisitoista.
Som skedde i Bryssel den tjugoåttonde maj tjugohundrafemton.

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
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 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Jacob Kabinga Simanisa .



За Република Вануату
 Por la República de Vanuatu
 Za Vanuatskou republiku
 For Republikken Vanuatu
 Für die Republik Vanuatu
 Vanuatu Vabariigi nimel
 Για τη Δημοκρατία του Βανουάτου
 For the Republic of Vanuatu
 Pour la République du Vanuatu
 Za Republiku Vanuatu
 Per la Repubblica di Vanuatu
 Vanuatu Republikas vārdā —
 Vanuatu Respublikos vardu
 A Vanuatu Kőztársaság részéről
 Għar-Repubblika tal-Vanuatu
 Voor de Republiek Vanuatu
 W imieniu Republiki Vanuatu
 Pela República de Vanuatu
 Pentru Republica Vanuatu
 Za Vanuatskú republiku
 Za Republiko Vanuatu
 Vanuatum tasavallan puolesta
 För Republiken Vanuatu



JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Vanuatu, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad hoc basis,
- journalists sent by the media of their country of residence, and
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. *inter alia*, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and the nationals of Vanuatu, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1036**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Independent State of Samoa on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and the Council ⁽¹⁾ transferred the reference to the Independent State of Samoa from Annex I to Annex II to Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to the Independent State of Samoa is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with the Independent State of Samoa for the conclusion of an agreement between the European Union and the Independent State of Samoa on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 19 November 2014 and were successfully finalised by the initialling thereof, by Exchange of Letters, on 15 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Independent State of Samoa on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

The text of the Agreement is attached to this Decision.

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Independent State of Samoa on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

THE INDEPENDENT STATE OF SAMOA, hereinafter referred to as 'Samoa',

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, inter alia, transferring 19 third countries, including Samoa, to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Samoa on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Samoa when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Samoa' shall mean any person who holds the citizenship of Samoa;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Samoa for the period of stay as defined in Article 4(1).

Citizens of Samoa holding a valid ordinary, diplomatic, service, official or special passport issued by Samoa may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Samoa or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Samoa may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Samoa reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Samoa.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Samoa for a maximum period of 90 days in any 180-day period.

2. Citizens of Samoa may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Samoa may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Samoa and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

Article 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

⁽¹⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

Article 6

Joint Committee for the management of the Agreement

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Samoa. The Union shall be represented by the European Commission.
2. The Committee shall have, inter alia, the following tasks:
 - (a) monitoring the implementation of this Agreement;
 - (b) suggesting amendments or additions to this Agreement;
 - (c) settling disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

Article 7

Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Samoa

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Samoa, in so far as they cover issues falling within the scope hereof.

Article 8

Final provisions

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the date of signature hereof.

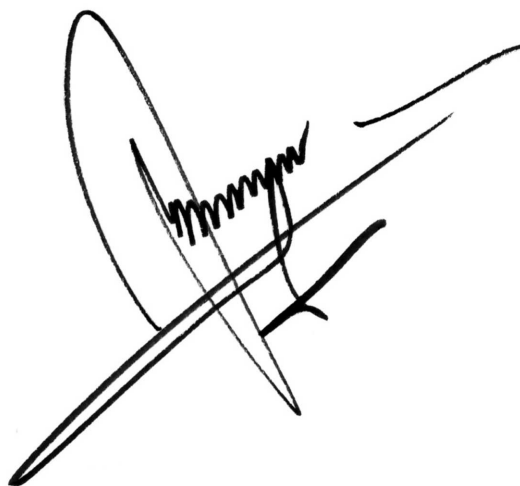
2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.
5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.
6. Samoa may suspend or terminate this Agreement only in respect of all the Member States.
7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

Съставено в Брюксел на двадесет и осми май две хиляди и петнадесета година.
Hecho en Bruselas, el veintiocho de mayo de dos mil quince.
V Bruselu dne dvacátého osmého května dva tisíce patnáct.
Udfærdiget i Bruxelles den otteogtyvende maj to tusind og femten.
Geschehen zu Brüssel am achtundzwanzigsten Mai zweitausendfünfzehn.
Kahe tuhande viieteistkümnenda aasta maikuu kahekümne kaheksandal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι οκτώ Μαΐου δύο χιλιάδες δεκαπέντε.
Done at Brussels on the twenty eighth day of May in the year two thousand and fifteen.
Fait à Bruxelles, le vingt huit mai deux mille quinze.
Sastavljeno u Bruxellesu dvadeset osmog svibnja dvije tisuće petnaeste.
Fatto a Bruxelles, addì ventotto maggio duemilaquindici.
Briselē, divi tūkstoši piecpadsmītā gada divdesmit astotajā maijā.
Priimta du tūkstančiai penkioliktų metų gegužės dvidešimt aštuntą dieną Briuselyje.
Kelt Brüsszelben, a kétézer-tizenötödik év május havának huszonnyolcadik napján.
Magħmul fi Brussell, fit-tmienja u għoxrin jum ta' Mejju tas-sena elfejn u ħmistax.
Gedaan te Brussel, de achtentwintigste mei tweeduizend vijftien.
Sporządzono w Brukseli dnia dwudziestego ósmego maja roku dwa tysiące piętnastego.
Feito em Bruxelas, em vinte e oito de maio de dois mil e quinze.
Întocmit la Bruxelles la douăzeci și opt mai două mii cincisprezece.
V Bruseli dvadsiateho ôsmeho mája dvetisícpätnásť.
V Bruslju, dne osemindvajsetega maja leta dva tisoč petnajst.
Tehty Brysselissä kahdentenäkymmenentenäkahdeksantena päivänä toukokuuta vuonna kaksituhattaviisitoista.
Som skedde i Bryssel den tjugoåttonde maj tjugohundrafemton.

За Европейския съюз
 Por la Unión Europea
 За Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Evropsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Ghall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Janak Kalaniga Lukarevica.



За Независима държава Самоа
 Por el Estado Independiente de Samoa
 Za Nezávislý stát Samoa
 For Den Uafhængige Stat Samoa
 Für den Unabhängigen Staat Samoa
 Samoa Iseseisvusriigi nimel
 Για το Ανεξάρτητο Κράτος της Σαμόα
 For the Independent State of Samoa
 Pour l'État indépendant du Samoa
 Za Nezavisnu Državu Samou
 Per lo Stato indipendente di Samoa
 Samoa Neatkarīgās Valsts vārdā –
 Samoa Nepriklausomosios Valstybės vardu
 A Szamoai Független Állam részéről
 Ghall-Istat Indipendenti ta' Samoa
 Voor de Onafhankelijke Staat Samoa
 W imieniu Niezależnego Państwa Samoa
 Pelo Estado Independente de Samoa
 Pentru Statul Independent Samoa
 Za Samojský nezávislý štát
 Za Neodvisno državo Samoo
 Samoan itsenäisen valtion puolesta
 För Självständiga staten Samoa



JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Samoa, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad-hoc basis,
- journalists sent by the media of their country of residence, and,
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. *Inter alia*, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and the nationals of Samoa, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

COUNCIL DECISION (EU) 2015/1037**of 7 May 2015****on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Trinidad and Tobago on the short-stay visa waiver**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with Article 218(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 509/2014 of the European Parliament and the Council ⁽¹⁾ transferred the reference to the Republic of Trinidad and Tobago from Annex I to Annex II of Council Regulation (EC) No 539/2001 ⁽²⁾.
- (2) That reference to the Republic of Trinidad and Tobago is accompanied by a footnote indicating that the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.
- (3) On 9 October 2014, the Council adopted a decision authorising the Commission to open negotiations with the Republic of Trinidad and Tobago for the conclusion of an agreement between the European Union and the Republic of Trinidad and Tobago on the short-stay visa waiver (the 'Agreement').
- (4) Negotiations on the Agreement were opened on 12 November 2014 and were successfully finalised by the initialling thereof, by exchange of letters, on 15 December 2014.
- (5) The Agreement should be signed, and the declarations attached to the Agreement should be approved, on behalf of the Union. The Agreement should be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its formal conclusion.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Republic of Trinidad and Tobago on the short-stay visa waiver (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement.

⁽¹⁾ Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

⁽²⁾ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁽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).

The text of the Agreement is attached to this Decision.

Article 2

The declarations attached to this Decision shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

The Agreement shall be applied on a provisional basis as from the date of signature thereof ⁽¹⁾, pending the completion of the procedures for its conclusion.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Republic of Trinidad and Tobago on the short-stay visa waiver**

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU', and

THE REPUBLIC OF TRINIDAD AND TOBAGO, hereinafter referred to as 'Trinidad and Tobago',

hereinafter referred to jointly as the 'Contracting Parties',

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽¹⁾ by, inter alia, transferring 19 third countries, including Trinidad and Tobago to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Trinidad and Tobago on the visa obligation or exemption and on the access to employment continue to apply,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and confirming that the provisions of this Agreement do not apply to the United Kingdom and Ireland,

HAVE AGREED AS FOLLOWS:

*Article 1***Purpose**

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Trinidad and Tobago when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

*Article 2***Definitions**

For the purpose of this Agreement:

- (a) 'Member State' shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) 'a citizen of the Union' shall mean a national of a Member State as defined in point (a);

⁽¹⁾ OJ L 149, 20.5.2014, p. 67.

- (c) 'a citizen of Trinidad and Tobago' shall mean any person who holds the citizenship of Trinidad and Tobago;
- (d) 'Schengen area' shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

Article 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Trinidad and Tobago for the period of stay as defined in Article 4(1).

Citizens of Trinidad and Tobago holding a valid ordinary, diplomatic, service, official or special passport issued by Trinidad and Tobago may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Trinidad and Tobago or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001 ⁽¹⁾.

For that category of persons, Trinidad and Tobago may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Trinidad and Tobago reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.

5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Trinidad and Tobago.

Article 4

Duration of stay

1. Citizens of the Union may stay in the territory of Trinidad and Tobago for a maximum period of 90 days in any 180-day period.

2. Citizens of Trinidad and Tobago may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Trinidad and Tobago may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Trinidad and Tobago and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

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Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.

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2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

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Joint Committee for the management of the Agreement

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the 'Committee'), composed of representatives of the Union and representatives of Trinidad and Tobago. The Union shall be represented by the European Commission.
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Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Trinidad and Tobago

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Trinidad and Tobago, in so far as they cover issues falling within the scope hereof.

Article 8

Final provisions

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the date of signature hereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.
3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.
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 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Laurel Kabinja - Luatenuca .

За Република Тринидад и Тобаго
 Por la República de Trinidad y Tobago
 Za Republiku Trinidad a Tobago
 For Republikken Trinidad og Tobago
 Für die Republik Trinidad und Tobago
 Trinidadī ja Tobago Vabariigi nimel
 Για τη Δημοκρατία του Τρινιδάδ και Τομπάγκο
 For the Republic of Trinidad and Tobago
 Pour la République de Trinité-et-Tobago
 Za Republiku Trinidad i Tobago
 Per la Repubblica di Trinidad e Tobago
 Trinidādas un Tobāgo Republikas vārdā –
 Trinidado ir Tobago Respublikos vardu
 A Trinidad és Tobago Köztársaság részéről
 Ghar-Repubblika ta' Trinidad u Tobago
 Voor de Republiek Trinidad en Tobago
 W imieniu Trynidadu i Tobago
 Pela República de Trindade e Tobago
 Pentru Republica Trinidad și Tobago
 Za Republiku Trinidadu a Tobaga
 Za Republika Trinidad in Tobago
 Trinidadin ja Tobagon tasavallan puolesta
 För Republiken Trinidad och Tobago

JOINT DECLARATION WITH REGARD TO ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN

The Contracting Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of those countries with the implementation, application and development of the Schengen *acquis*.

In such circumstances it is desirable that the authorities of Norway, Iceland, Switzerland, and Liechtenstein, on the one hand, and Trinidad and Tobago, on the other hand, conclude, without delay, bilateral agreements on the short-stay visa waiver in terms similar to those of this Agreement.

JOINT DECLARATION ON THE INTERPRETATION OF THE CATEGORY OF PERSONS TRAVELLING FOR THE PURPOSE OF CARRYING OUT A PAID ACTIVITY AS PROVIDED FOR IN ARTICLE 3(2) OF THIS AGREEMENT

Desiring to ensure a common interpretation, the Contracting Parties agree that, for the purposes of this Agreement, the category of persons carrying out a paid activity covers persons entering for the purpose of carrying out a gainful occupation or remunerated activity in the territory of the other Contracting Party as an employee or as a service provider.

This category should not cover:

- businesspersons, i.e. persons travelling for the purpose of business deliberations (without being employed in the country of the other Contracting Party),
- sportspersons or artists performing an activity on an ad-hoc basis,
- journalists sent by the media of their country of residence, and,
- intra-corporate trainees.

The implementation of this Declaration shall be monitored by the Joint Committee within its responsibility under Article 6 of this Agreement, which may propose modifications when, on the basis of the experiences of the Contracting Parties, it considers it necessary.

JOINT DECLARATION ON THE INTERPRETATION OF THE PERIOD OF 90 DAYS IN ANY 180-DAY PERIOD AS SET
OUT IN ARTICLE 4 OF THIS AGREEMENT

The Contracting Parties understand that the maximum period of 90 days in any 180-day period as provided for by Article 4 of this Agreement means either a continuous visit or several consecutive visits, the total duration of which does not exceed 90 days in any 180-day period.

The notion of 'any' implies the application of a moving 180-day reference period, looking backwards at each day of the stay into the last 180-day period, in order to verify if the 90 days in any 180-day period requirement continues to be fulfilled. Inter alia, it means that an absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.

JOINT DECLARATION ON INFORMING CITIZENS ABOUT THE VISA WAIVER AGREEMENT

Recognising the importance of transparency for the citizens of the European Union and Trinidad and Tobago, the Contracting Parties agree to ensure full dissemination of information about the content and consequences of the visa waiver agreement and related issues, such as the entry conditions.

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