

Is áis doiciméadúcháin amháin an téacs seo agus níl aon éifeacht dhlíthiúil aige. Ní ghabhann institiúidí an Aontais aon dlíteanas orthu féin i leith inneachar an téacs. Is iad na leaganacha de na gníomhartha a foilsíodh in Iris Oifigiúil an Aontais Eorpaigh agus atá ar fáil ar an suíomh gréasáin EUR-Lex na leaganacha barántúla de na gníomhartha ábhartha, brollach an téacs san áireamh. Is féidir teacht ar na téacsanna oifigiúla sin ach na naisc atá leabaithe sa doiciméad seo a bhrú

► **B****COUNCIL REGULATION (EC) No 1030/2002****of 13 June 2002****laying down a uniform format for residence permits for third-country nationals**

(IO L 157, 15.6.2002, lch. 1)

Arna leasú le:

		Iris Oifigiúil		
		Uimh	Leathanach	Dáta
► <u>M1</u>	Council Regulation (EC) No 380/2008 of 18 April 2008 (*)	L 115	1	29.4.2008
► <u>M2</u>	Rialachán (AE) 2017/1954 ó Pharlaimint na hEorpa agus ón gComhairle an 25 Deireadh Fómhair 2017	L 286	9	1.11.2017

(*) Níor foilsíodh an gníomh seo i nGaeilge.

▼B**COUNCIL REGULATION (EC) No 1030/2002****of 13 June 2002****laying down a uniform format for residence permits for third-country nationals***Article 1*

1. Residence permits issued by Member States to third-country nationals shall be drawn up in a uniform format and provide sufficient space for the information set out in the Annex hereto. ► **M1** Residence permits to third-country nationals shall be issued as stand-alone documents in ID 1 or ID 2 format. ◀ Each Member State may add in the relevant space of the uniform format information of importance regarding the nature of the permit and the legal status of the person concerned, in particular information as to whether or not the person is permitted to work.

2. For the purpose of this Regulation,

(a) ‘residence permit’ shall mean any authorisation issued by the authorities of a Member State allowing a third-country national to stay legally on its territory, with the exception of:

(i) visas;

▼M1

(ii) permits issued pending examination of a request for asylum, an application for a residence permit or an application for its extension;

(iia) permits issued in exceptional circumstances with a view to an extension of the authorised stay with a maximum duration of one month;

▼B

(iii) authorisations issued for a stay of a duration not exceeding six months by Member States not applying the provisions of Article 21 of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders ⁽¹⁾;

(b) ‘third-country national’ shall mean any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty.

Article 2

1. Additional technical specifications for the uniform format for residence permits relating to the following shall be established in accordance with the procedure referred to in Article 7(2):

(a) additional security features and requirements including enhanced anti-forgery, counterfeiting and falsification standards;

⁽¹⁾ OJ L 239, 22.9.2000, p. 19.

▼ B

- (b) technical processes and rules for the filling in of the uniform residence permit;
- (c) other rules to be observed for the filling in of the uniform residence permit;

▼ M1

- (d) technical specifications for the storage medium of the biometric features and the security thereof, including prevention of unauthorised access;
- (e) requirements for the quality of and common standards for the facial image and the fingerprint images;
- (f) an exhaustive list of additional national security features which could be added by Member States in accordance with point (h) of the Annex.

▼ B

2. The colours of the uniform residence permit may be changed in accordance with the procedure referred to in Article 7(2).

*Article 3***▼ M1**

In accordance with the procedure referred to in Article 7(2), it may be decided that the specifications referred to in Article 2 shall be secret and not be published. In that case they shall be made available only to the bodies designated by the Member States as responsible for the printing and to persons duly authorised by a Member State or the Commission.

▼ B

Each Member State shall designate one body having responsibility for printing the uniform residence permit. It shall communicate the name of that body to the Commission and the other Member States. The same body may be designated by two or more Member States. Each Member State shall be entitled to change its designated body. It shall inform the Commission and the other Member States accordingly.

Article 4

Without prejudice to data protection rules, persons to whom the residence permit is issued shall have the right to verify the personal particulars contained in the residence permit and, where appropriate, to have them corrected or deleted.

▼ M1

No information in machine-readable form shall be included on the resident permit or on the storage medium of the residence permit referred to in Article 4a, unless provided for in this Regulation, or its Annex or unless it is mentioned in the related travel document by the issuing State in accordance with its national legislation. Member States may also store data for e-services such as e-government and e-business as well as additional provisions relating to the residence permit on a chip referred to in point 16 of the Annex. However, all national data must be logically separated from the biometric data referred to in Article 4a.

▼ M1

For the purposes of this Regulation, the biometric features in residence permits shall only be used for verifying:

- (a) the authenticity of the document;
- (b) the identity of the holder by means of directly available comparable features when the residence permit is required to be produced by national legislation.

Article 4a

The uniform format for residence permits shall include a storage medium containing the facial image and two fingerprint images of the holder, both in interoperable formats. The data shall be secured and the storage medium shall be of sufficient capacity and capability to guarantee the integrity, authenticity and confidentiality of the data.

Article 4b

For the purposes of this Regulation, Member States shall take biometric identifiers comprising the facial image and two fingerprints from third-country nationals.

The procedure shall be determined in accordance with the national practice of the Member State concerned and with the safeguards laid down in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.

The following biometric identifiers shall be taken:

- a photograph provided by the applicant or taken at the time of application and,
- two fingerprints taken flat and digitally captured.

The technical specifications for the capture of biometric identifiers shall be set out in accordance with the procedure described in Article 7(2) and with ICAO standards and the technical specifications for passports issued by Member States to their nationals pursuant to Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States ⁽¹⁾.

The capture of fingerprints is compulsory as of six years of age.

Persons for whom fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.

▼ B*Article 5*

This Regulation shall not apply to third-country nationals who are:

- members of the families of citizens of the Union exercising their right to free movement,

⁽¹⁾ OJ L 385, 29.12.2004, p. 1.

▼ B

- nationals of Member States of the European Free Trade Association party to the Agreement on the European Economic Area and members of their families exercising their right to free movement in accordance with that Agreement,
- nationals of third countries who are exempt from the requirement to hold a visa and who are authorised to stay in a Member State for a period of less than three months.

▼ M1*Article 5a*

Where Member States use the uniform format for purposes other than those covered by this Regulation, appropriate measures must be taken to ensure that confusion with the residence permit referred to in Article 1 is not possible and the purpose is clearly indicated on the card.

▼ B*Article 6*

The measures necessary for the implementation of this Regulation shall be adopted in accordance with the regulatory procedure referred to in Article 7(2).

Article 7

1. The Commission shall be assisted by the Committee set up by Article 6(2) of Regulation (EC) No 1683/95.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at two months.

3. The Committee shall adopt its rules of procedure.

Article 8

This Regulation shall not affect the powers of the Member States regarding recognition of States and territorial entities and passports, identity documents and travel documents issued by their authorities.

Article 9

Member States shall issue the uniform format for residence permits defined in Article 1 no later than one year after the adoption of the additional security features and requirements referred to in Article 2(1)(a).

From that date, this Regulation shall, in the Member States concerned, replace Joint Action 97/11/JHA.

▼ M1

The storage of the facial image as primary biometric identifier shall be implemented at the latest two years, and the storage of the two fingerprint images at the latest three years, after the adoption of the respective technical measures provided for in Article 2(1)(d) and (e).

▼ M1

However, the validity of residence permits already issued shall not be affected by the implementation of this Regulation, unless the Member State concerned decides otherwise.

For a transitional period of two years after the adoption of the technical specifications for the facial image referred to in the third paragraph of this Article, the residence permit may continue to be issued in sticker form.

▼ B

However, the validity of authorisations already granted in another format of residence permit shall not be affected by the introduction of the uniform format for residence permits, unless the Member State concerned decides otherwise.

Article 10

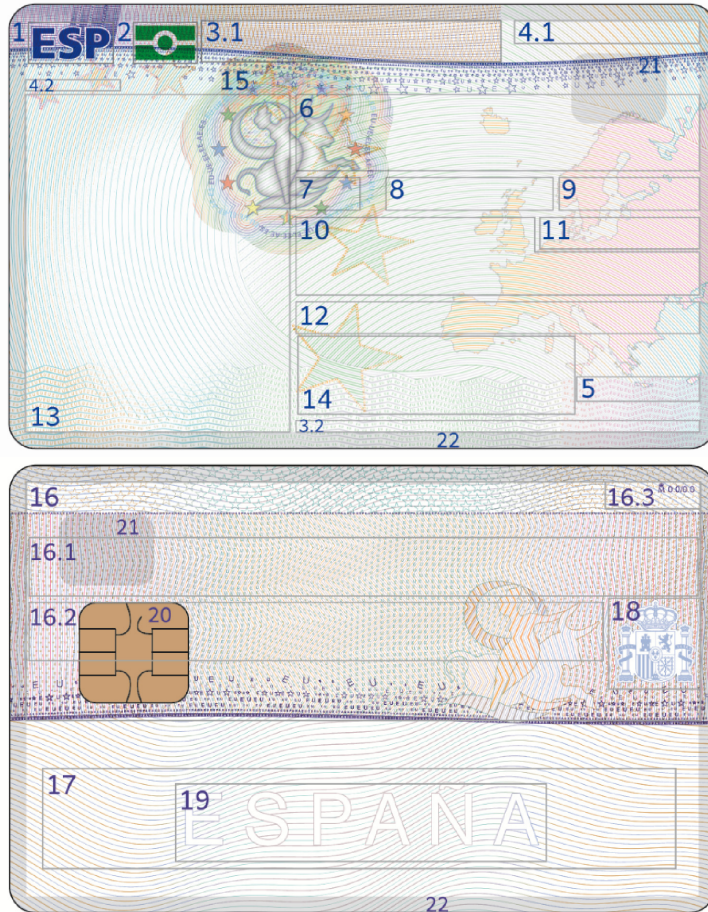
This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

▼ M2

IARSCRÍBHINN

AGHAIDH AGUS CÚL AN CHÁRTA



(a) Cur síos

Is mar dhoiciméad ar leith i bhformáid ID — 1 a bheidh an cead cónaithe, lena n-áireofar sonraí bithmhéadracha. Chuige sin tarraingeofar ar na sonraíochtaí a leagtar amach sa doiciméad de chuid ICAO maidir le doiciméid taistil mheaisín-inléite (Doiciméad 9303, an seachtú eagrán, 2015). Beidh na nithe seo a leanas ann ⁽¹⁾:

Aghaidh an chárta:

1. Cód tíre trí litir an Bhallstáit eisiúna mar a leagtar amach é i nDoiciméad 9303 de chuid ICAO maidir le doiciméid taistil mheaisín-inléite, agus é comhtháite sa chúlra priontáilte.
2. Siombail ICAO do dhoiciméad taistil meaisín-inléite a bhfuil micrishlis éadadhaill ann (siombail e-MRTD), agus i ndathú atá inathraitheach go hoptúil a bheidh sé. Ag brath ar uillinn an amhairc, beidh dathanna éagsúla air.
- 3.1. Is i dteanga(cha) an Bhallstáit eisiúna a bheidh teideal an doiciméid ('Cead Cónaithe').
- 3.2. Teideal an doiciméid dá dtagraítear in iontráil 3.1 curtha/scríofa isteach athuair, i dteanga oifigiúil amháin eile ar a laghad de chuid institiúidí an Aontais (nó in dhá cheann díobh ar a mhéad), ionas gur túisce a aithneofar an cárta mar chead cónaithe do náisiúnaigh tríú tír.

⁽¹⁾ Tá na ceantaidil atá le priontáil sonraithe sna sonraíochtaí teicniúla atá le glacadh faoi Airteagal 6 den Rialachán seo.

▼ M2

- 4.1. Uimhir an doiciméid.
- 4.2. Cuirfear isteach an uimhir athuair an doiciméid (a bhfuil gnéithe speisialta slándála ag roinnt léi).
5. Sonraítear uimhir rochtana an chárta (CAN).

Beidh ceannteidil iontrálacha 6 go 12 i dteanga(cha) an Bhallstáit eisiúna. Féadfaidh an Ballstát eisiúna teanga oifigiúil eile de chuid institiúidí an Aontais a chur ar an líne chéanna, ach gan níos mó ná dhá theanga san iomlán a bheith inti.

6. Ainm: sloinne (sloinnte) agus céadainm (céadainmneacha), agus iad san ord sin ⁽¹⁾.
7. Inscne.
8. Náisiúntacht.
9. Dáta breithe.
10. An cineál ceada: an cineál sonrath ceada cónaithe arna eisiúint ag an mBallstát don náisiúnach tríú tír. I gcás ceada cónaithe ar do bhall de theaghlach saoránaigh den Aontas Eorpach nach ndearna an cearta chun saorghluaiseachta a fheidhmiú é, ní mór ‘ball teaghlaigh’ a chur san iontráil seo. I gcás tairbhíthe faoi Airteagal 3(2) de Threoir 2004/38/CE ó Pharlaimint na hEorpa agus ón gComhairle ⁽²⁾, féadfaidh na Ballstáit ‘tairbhí faoi Airteagal 3(2) de Threoir 2004/38/CE’ a chur san iontráil.
11. Sonrófar dáta éaga an doiciméid sa bhosca seo ⁽³⁾.
12. Barúlacha: Féadfaidh na Ballstáit sonraí agus nótaí chun críche úsáid náisiúnta a chur ann mar a cheanglaítear i bhfianaise a bhforálacha náisiúnta féin maidir le náisiúnaigh tríú tír, lena n-áirítear nótaí a bhaineann le haon chead chun oibre nó le bailíocht neamhtheoranta an cheada chun fanachta. ⁽⁴⁾
13. Beidh grianghraf aitheantais comhtháite go daingean i gcorp an chárta arna dhaingniú le gaireas díraonta íomhánna atá inathraithe go hoptúil (DOVID).
14. Síniú an tsealbhóra.
15. DOVID leis an bportráid a chosaint.

⁽¹⁾ Aon réimse amháin atá ann do na sloinnte agus do na céadainmneacha. Tabharfar na sloinnte sa chás uachtair; cuirfear na céadainmneacha sa chás íochtair ach sa chás uachtair don chéadlitir. Ní ceadmhach deighilteoirí a chur idir sloinnte agus céadainmneacha. Is féidir, áfach, an carachtar ‘,’ a chur isteach mar dheighilteoir idir an chéad sloinne agus an dara sloinne, nó na céadainmneacha (mar shampla: TOLEDO, BURGOS Ana, Maria). Más gá, is féidir an chéad sloinne agus an dara sloinne, nó na sloinnte agus céadainmneacha, a chur le chéile ar aon líne ar mhaithe le níos lú spáis a úsáid.

⁽²⁾ Treoir 2004/38/CE ó Pharlaimint na hEorpa agus ón gComhairle an 29 Aibreán 2004 maidir leis an gcearta atá ag saoránaigh an Aontais agus ag daoine dá dteaghlaigh chun gluaiseacht agus cónaí a dhéanamh faoi shaoirse ar chríoch na mBallstát lena leasaítear Rialachán (CEE) Uimh. 1612/68 agus lena n-aisghairtear Treoracha 64/221/CEE, 68/360/EEC, 72/194/ CEE, 73/148/ CEE, 75/34/ CEE, 75/35/ CEE, 90/364/ CEE, 90/365/ CEE agus 93/96/CEE (IO L 158, 30.4.2004, lch. 77).

⁽³⁾ Déanfar an iontráil i bhformáid dáta (ll/mm/bbbb), agus san fhormáid sin amháin; ná cuirtear focail amháil ‘sealadach’ nó ‘gan teorainn’ inti, toisc go mbaineann an dáta éaga leis an doiciméad fisiciúil agus ní leis an gcearta cónaithe.

⁽⁴⁾ Is féidir barúlacha breise a chur isteach i réimse 16 (‘Barúlacha’) ar chúl an chárta.

▼ M2

Ar chúl an chárta:

16. Barúlacha: Féadfaidh na Ballstáit sonraí agus nótaí chun críche úsáid náisiúnta a chur ann mar a éilítear i bhfianaise a bhforálacha náisiúnta féin maidir le náisiúnaigh tríú tír, lena n-áirítear nótaí a bhaineann le haon chead chun oibre ⁽¹⁾, agus dhá iontráil éigeantacha ar a lorg sin:

16.1. Dáta eisiúna, áit eisiúna/údarás eisiúna: Dáta eisiúna agus áit eisiúna an cheada cónaithe. De réir mar is iomchuí, féadfar tagairt don údarás eisiúna a chur in ionad na háite eisiúna.

16.2. Áit bhreithe.

Féadfar iontrálacha roghnacha ⁽²⁾ amhail ‘Seoladh an tsealbhóra’ a chur ar lorg iontráil 16.1 agus iontráil 16.2.

16.3. Réimse roghnach d'fhaisnéis a bhaineann le táirgeadh an chárta amhail ainm an táirgeora, uimhir an leagain, etc.

17. An chuid meaisín-inléite. Beidh an chuid mheaisín-inléite i gcomhréir leis na treoirlínte ICAO ábhartha a leagtar amach i nDoiciméad 9303 de chuid ICAO maidir le doiciméid taistil mheaisín-inléite.

18. Sa chuid phriontáilte beidh suaitheantas náisiúnta an Bhallstáit lena mbaineann d'fhonn an cead cónaithe a idirdhealú ar cheadanna eile agus d'fhonn cinnteacht a thabhairt dá bhunús náisiúnta.

19. Sa chuid mheaisín-inléite beidh téacs cúlra priontáilte ina dtabharfar an Ballstát eisiúna le fios. Ní bheidh aon éifeacht ag an téacs seo ar ghnéithe teicniúla na coda meaisín-inléite.

Gnéithe slándála náisiúnta sofheicthe (gan dochar do na sonraíochtaí teicniúla a bhunaítear faoi Airteagal 2(1)(f) den Rialachán seo):

20. Úsáidfeá slis radaimhnicíochta mar mheán stórála i gcomhréir le hAirteagal 4a den Rialachán seo. Ina theannta sin, féadfaidh na Ballstáit, más chun críche úsáid náisiúnta é, dé-chomhéadan nó slis tadhaill ar leith a chomhtháthú sa chead cónaithe. Cuirfeá sliseanna tadhaill den chineál sin ar chúl an chárta, beidh siad i gcomhréir le caighdeáin ISO agus ní chuirfidh siad isteach ar aon chaoi ar an tsli radaimhnicíochta.

21. Fuinneog thrédhearcach roghnach.

22. Ciumhais thrédhearcach roghnach.

(b) Dathúchán, próiseas priontála

Socróidh na Ballstáit an dath agus an próiseas priontála i gcomhréir leis an bhformáid aonfhoirmeach a leagtar síos san Iarscríbhinn seo agus leis na sonraíochtaí teicniúla breise a bhunófar i gcomhréir le hAirteagal 2 den Rialachán seo.

(c) Ábhar

Beidh an cárta déanta go hiomlán de pholacarbónáit nó de pholaiméir shintéiseach dá samhail (ábhar a fhanfaidh bailí ar feadh 10 mbliana ar a laghad).

⁽¹⁾ A bhfuil de spás ar fáil ar chúl an chárta (seachas an chuid mheaisín-inléite), fágfar bán é don réimse dar teideal ‘Barúlacha’. Is éard a bheidh ann na barúlacha iarbhir agus, ina dhiaidh sin, na réimsí éigeantacha (dáta eisiúna, áit eisiúna/údarás eisiúna, áit bhreithe), agus, ina dhiaidh sin arís, na réimsí roghnacha a bheidh de dhíth ar gach Ballstát.

⁽²⁾ Ní mór fo-cheannteidil a chur roimh iontrálacha roghnacha.

▼ M2**(d) Teicnící priontála**

Bainfear úsáid as na teicnící priontála seo a leanas:

- seachphriontáil chúlra ar ardchaighdeán slándála;
- priontáil UV-fhluaraiseach;
- priontáil stua ceatha.

Beifear in ann an dearadh slándála ar aghaidh an chárta a idirdhealú ar an dearadh slándála ar a chúl.

(e) Uimhriú

Beidh uimhir an doiciméid le feiceáil i mbreis agus aon ionad amháin ar an doiciméad (gan an chuid meaisín-inléite a chur san áireamh).

(f) Cosaint ar chóipeáil

Úsáidfear ar aghaidh an cheada cónaithe leagan uasghrádaithe de DOVID lena gcuirfear ar fáil caighdeán aitheantais agus leibhéal slándála nach lú éifeacht ná an gaireas a úsáidtear san fhormáid aonfhoirmeach do víosaí atá ann faoi láthair, agus beidh dearadh agus gnéithe ardleibhéil sa leagan seo, lena n-áireofar eilimint dhíraonta fheabhsaithe le haghaidh meaisínfíorú ardleibhéil.

(g) Teicníc phearsantaithe

D'fhonn a áirithiú go bhfuil cosaint cheart ar na hiarrachtaí góchumtha agus falsaithe á déanamh i dtaca leis na sonraí maidir le cead cónaithe, déanfar sonraí beatha, lena n-áireofar an grianghraf, síniú an tsealbhóra agus sonraí tábhachtachta eile, déanfar iad a chomhtháthú in ábhar bunúsach an doiciméid. Chun pearsantú a dhéanamh, úsáidfear teicneolaíocht léas-arghreanta nó teicneolaíocht shlán eile dá samhail.

(h) Féadfaidh na Ballstáit gnéithe breise slándála náisiúnta a chur leis freisin, ar choinníoll go mbeidh na gnéithe sin áirithe sa liosta arna bhunú faoi Airteagal 2(1)(f) den Rialachán seo, go gcloífídh siad le cuma chomhchuibhithe na samhlacha thuas agus nach laghdófar éifeachtúlacht na ngnéithe slándála aonfhoirmeacha.