



Ad-Hoc Query on Directive 2004/38/EO

Requested by BG EMN NCP on 26 July 2011

Compilation produced on 03 October 2011

Responses from Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom plus Norway (28 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information








The name of the document according Ar.10 from the Directive 2004/38/EO does not has to be different (when translated it into national language) from the formulation in the Directive because difference in translations can lead practically to non-recognition of the residence permit in other member-states when third country nationals enter with this document and it is a precondition for enter in this MS without visa.

In this connection please we want ask you to send us a specimen for the document according Ar.10 from the abovementioned Directive "...for family member of EU citizen".

It would be very much appreciated if we could receive our answers by **29 August 2011**.

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2. Responses¹

		Wider Dissemination? ²	
			Please send us a specimen for the document according Ar.10 from the abovementioned Directive "...for family member of EU citizen".
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	Belgium	Yes	<p>The Belgian documents issued in application of article 10 bear the exact wording as imposed by this article 10, and this for each of the three official languages in Belgium:</p> <ul style="list-style-type: none"> - "verblijfskaart van een familielid van een burger van de Unie" (Dutch), or - « Carte de séjour de membre de la famille d'un citoyen de l'Union » (French), or - "Aufenthaltskarte für Familienangehörige eines Unionsbürgers" (German) <p>These documents can also be simply recognized as "F-card" (or F+ card for article 20)</p> <p>A sample of this document can be found on the Prado-site (only a sample in Dutch is uploaded): http://prado.consilium.europa.eu/en/4600/viewImage_122218.html</p>
	Bulgaria	Yes	
	Cyprus	Yes	
	Czech Republic	Yes	
	Denmark	Yes	
	Estonia	Yes	Please find attached photos of the specimen for the document issued to EU citizen's family member in accordance with the Directive 2004/38.




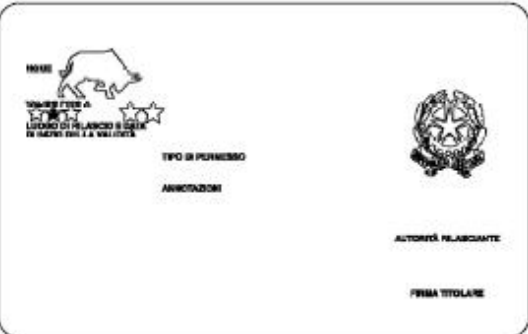
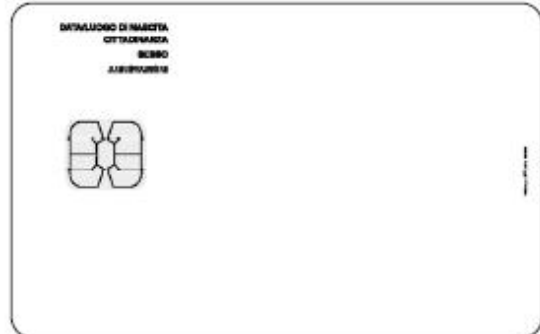
¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

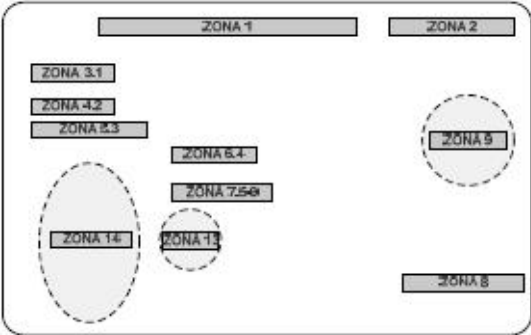
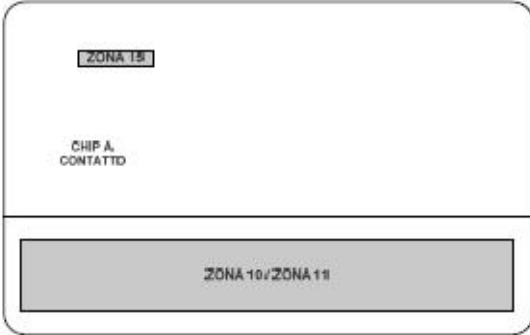

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			  EST_FS_front.jpg EST_FS_back.jpg
	Finland	Yes	<p>The card attached is for a German citizen, but the card for TCN:s is identical.</p>  Card for family members of EU-citizen
	France	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	Germany	Yes	 AufenthV - Einzelnorm 1.mht
	Greece	Yes	<p>While implementing Directive 2004/38, Greece issued a different form (residence card) of residence permits for the family members of an EU citizen, than the one we are issuing for other T.C.Ns legally residing in Greece (sticker, due to Regulation 1030/2002). This type of residence permit has the exact title according to article 10 of the Directive 2004/38: “Residence Card of a family member of a Union citizen” and “Permanent Residence Card of a family member of a Union citizen”.</p> <p>Due to the on going procedure of the implementation of the Regulation 380/2008 “laying down a uniform format for residence permits for third-country nationals” Greece is willing to issue this type of residence permits also to the family members of a Union citizen with fully technical qualifications (biometrics).</p> <p>During the recently meeting of Article 6 Committee (Reg. 1683/95) in Brussels (19/7/2011), point 4.4. of the agenda concerned “Use of the uniform format for the residence card for family members of EU citizens” and relevant discussion took place concerning this issue. In this framework, Greece has sent specimens of the Residence Card and Permanent Residence Card of a family member of a Union citizen.</p>
	Hungary	Yes	<p>In our country, there is 2 different type of Residence card of a family member of a Union citizen.</p> <p>First : Residence card for a family member of a European Union citizen; evidence for a third-country national who is a family member of a citizen of the EU, or of Iceland, Norway or Liechtenstein, of the right to move and reside freely within the territory of the Member States.</p> <p>See below: http://prado.consilium.europa.eu/EN/4395/docHome.html</p>



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			<p>The second one is: Residence permit issued to family members of Hungarian citizen. Please find attached the specimens. There are 2 different forms. First has been used until 20. May 2011.</p>  <p>Residence permit issued to family member of Hungarian citizen</p>
	Ireland	Yes	
	Italy	Yes	<p>Please find here below the required specimen. The layout of the electronic permit of stay released by the Italian authorities follows these guidelines (Official Journal n. 22 of 28th January 2010, Annex 4):</p> <p>1. The document shall be produced according to the following blank format:</p> <div style="display: flex; justify-content: space-around;">   </div> <p>2. The microprocessor shall record the following information:</p> <ul style="list-style-type: none"> - Document number - Name and surname of the holder - Expiry date - Place of issue - Initial validity date - Type of permit - Place and date of birth of the owner - Citizenship - Sex - Tax code





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			<p>- Name and surname of eventual children - Signature imane - Picture (30x24 mm – 300dpi – colour 24bit) - Template of n.2 fingerprints</p> <p>3. Information should be indicated as follows:</p> <div style="display: flex; justify-content: space-around;">   </div> <div style="display: flex; justify-content: space-between;"> <div data-bbox="622 874 1153 1248"> <p>Front-side:</p> <ul style="list-style-type: none"> 1 Permit of stay 2 Document number 3.1 Name of the holder 4.2 Document validity period 5.3 Place and date of issue 6.4 Type of permit 7.5-9 Notes 8 Signature of the authority that issued the document 9 Emblem of the Italian Republic 13 OVD 14 Photo (30x24mm) </div> <div data-bbox="1218 874 1798 1027"> <p>Back-side:</p> <ul style="list-style-type: none"> 10 Optical reading 11 Member State 15 Place and date of birth, citizenship, sex, notes 16 Chip </div> </div>
	<p>Latvia</p>	<p>Yes</p>	<p>Please find attached the Permanent residence permit and Temporary residence permit for EU family member.</p>

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	Lithuania	Yes	Lithuania is currently revising the document and from September 2011 it will provide documents in accordance with the Directive. The updated specimen will be send when it is available.
	Luxembourg	Yes	
	Malta	Yes	



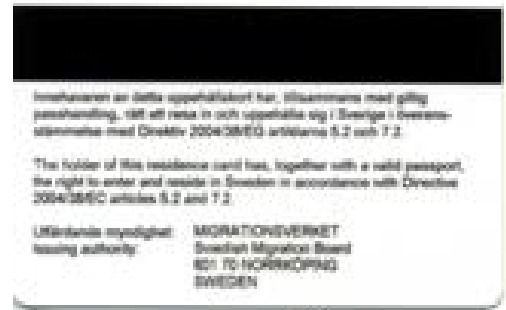
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			<p style="text-align: center;">RELEVANT INFORMATION</p> <p style="text-align: center;"><i>A Registration Certificate is issued to a national of the EEA who is exercising the right of free movement and residence in Malta, whilst a Residence Card is issued to a family member (not being a national of a member state of the EEA) of an EEA national.</i></p> <p style="text-align: center;"><i>Generally, after five years' residence in Malta, and after having satisfied the relative conditions in the relevant legislation, a national of the EEA becomes a permanent resident and is entitled to a Permanent Residence Certificate. Family members, who are not EEA nationals, also acquire such right after five years' residence and are entitled to a Permanent Residence Card.</i></p> <p style="text-align: center;"><i>The vignette found on page 3 of this document will show whether the holder is in possession of a Registration Certificate or a Permanent Residence Certificate or a Residence Card or a Permanent Residence Card. (This documentation is issued pursuant to the provisions of Directive 2004/38/EC)</i></p> <p style="text-align: center;">NOTICE TO THE HOLDER OF THIS DOCUMENT</p> <p style="text-align: center;"><i>Loss of this document should be reported immediately to the Police and to the Department for Citizenship and Expatriate Affairs</i></p> <p style="text-align: center;"><i>If you are leaving the country permanently, this document should be returned to the above-mentioned Department.</i></p> <p style="text-align: center;">MINISTRY OF FOREIGN AFFAIRS PALAZZO PARISIO, MERCHANTS STREET VALLETTA, MALTA</p> <div style="text-align: center;">  <p>REPUBLIC OF MALTA</p> <p>RESIDENCE DOCUMENTATION FOR A NATIONAL OF THE EUROPEAN ECONOMIC AREA (EEA) OR FOR A FAMILY MEMBER OF SUCH A NATIONAL</p> <p>Department for Citizenship and Expatriate Affairs</p> </div>
	Netherlands	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	Poland	Yes	
	Portugal	Yes	Specimens of Portuguese travel and identity documents (including EU citizen TCN family member residence card)



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			<p>are available in PRADO: http://prado.consilium.europa.eu/BG/categories/showAllCategories_PRT.html</p>
	<p>Romania</p>	<p>Yes</p>	<p>1. Permanent Residence Card for members of family of an UE citizen</p>  <p>2. Residence Card for members of family of an EU citizen</p>

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	<p>Sweden</p>	<p>Yes</p>	<div style="text-align: center;"> <h2>Residence Card</h2> <p>Family members of EU nationals – European Parliament and Council Directive 2004/38/EC article 10:1.</p> </div> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 10px; width: 45%;">  <p style="text-align: center;">front side</p> </div> <div style="border: 1px solid black; padding: 10px; width: 45%;">  <p style="text-align: center;">reverse side</p> </div> </div> <p style="margin-top: 20px;">Residence permit card of a family member of a Union citizen. Sweden started to issue this card from the end of April 2006. ISO 7810 ID-1 physical format.</p>
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	United Kingdom	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	Norway	Yes	