

## **Q&A on the Schengen visa exemption**

### **Issued by the European Economic and Trade Office**

#### **1. Why Taiwan?**

Reviews of the Council regulation 539/2001 governing entry into the Schengen area are taking place on a regular basis to adapt the Schengen visa policy to changing circumstances. The EU is an important destination of Taiwanese citizens travelling overseas, be that for visiting or business purposes. For instance, a total of 174 697 Schengen visas were issued and more than 310 000 Taiwanese visited Europe last year. The EU being the 4<sup>th</sup> trading partner of Taiwan and the 1<sup>st</sup> foreign direct investor in Taiwan has also an interest in easing travel requirements for Taiwanese.

In addition, Taiwan has progressively eliminated the visa requirement for nationals of EU member states and presents little risk of illegal immigration

#### **2. When will the visa waiver enter into force?**

The visa waiver for Taiwanese passport holders will enter into force **on 11<sup>th</sup> of January 2011**.

#### **3. What does this mean in practice?**

For short term visits of up to 90 days within a six months period, no visa is needed by holders of Taiwanese passports. They can travel to the Schengen area or the three Member States not yet fully applying the "Schengen acquis" (Romania, Bulgaria and Cyprus). For employment even if it is less than 3 months, for visits of more than 3 months such as for settlement, for family reunification or studies, Taiwanese passport holders will still require a national visa issued by the Member State concerned.

#### **4. In which Member States will the visa waiver apply ?**

The visa-free regime applies to travels to all countries of the EU and three extra countries (Iceland, Norway and Switzerland), since the UK and Ireland have already waived the visa obligation in 2009.

#### **5. Is there a difference between the Schengen-area and the other EU-member states?**

Yes. The countries of the Schengen-area apply common border control regulations. There are no border controls when travelling between these countries. When travelling to the other non- Schengen-member states, border controls are still in place.

#### **6. Will the exemption apply to all types of passports?**

The visa exemption will apply to all ordinary Taiwanese passports which contain the identity card number of the holder. For diplomatic and service/official passports please confirm with Member States offices in Taiwan before your trip to the Schengen area.

The exemption from the visa requirement does not apply to holders of passports issued by Taiwan which do not include an identity card number.

#### **7. Will I need a visa to visit any Member State of the Schengen area for business, such as attending meetings, training course, or exhibition for short stay?**

No

#### **8. Will students staying for less than three months require a visa?**

No.

Yet, if they want to extend, change their status or work in the Schengen area during their studies, they will need to leave the Schengen-area and should contact the relevant Member States office in Taiwan (or in the country where you currently reside in) for their visa.

**9. If I want to visit one country in the Schengen area to get married do I need a visa?**

For the actual wedding celebration, no visa is required. However, if you want to stay more than 90 days you need to apply for a visa.

**10. Do I need a visa to work in the Schengen area for less than three months?**

Yes, most of the Member States require a visa and a work permit if you intend to work even if it is for less than three months.

You should contact the relevant office in Taipei (or in the country where you currently reside in) to inquire whether a visa is required.

**11. How long can I stay in the Schengen area?**

You may stay in the Schengen area for a maximum period of three months during a six months period. There is no limitation for the number of times you may enter the Schengen area if the total number of days you stayed in the Schengen-area in the six month period does not exceed 90 days.

**12. When does the 6 months period start?**

The 6 months period starts the first day of the first entry into the Schengen area.

**Examples:**

1) Ms Lin enters the Schengen-area to visit her Spanish boyfriend on February 20. How long can she stay?

**Answer:** Spain is a Schengen-member state. Ms Lin can stay up to 90 days after she enters the Schengen area on February 20. This means, that she can stay until May 20. However, she would not be able to enter into the Schengen area again before August 20, as she has already used up the 90 day limit within six months.

She could then meet her boyfriend again on August 21 earliest, when a new six month period starts.

2) Mr. Wang enters the Schengen-area in Germany on 15 January. After visiting a trade fair in Germany, he spends his holidays in Switzerland and Italy. He leaves Italy on February 15. He returns for another visit to France on 1 March. How much longer may he stay?

**Answer:** All countries belong to the Schengen-area. Mr. Wang's six months period starts on 15 January. Mr. Wang can stay up to 90 days in the Schengen-area in a six-month period after this date. The six-month period ends on 15 July.

He has used 32 days of his 90 days during his first stay from 15 January until 15 February.

Therefore, after Mr Wang's arrival on March 1, he can stay another 58 days (90-32) in the Schengen-area. If he does that, he would not be able to enter into the Schengen area again before the six-month period has ended on July 15.

3) Mrs Chen is entering the Schengen-area on February 1 for a business trip. She then leaves and re-enters the Schengen-area numerous times for visits to her clients in Europe. Her accumulated days of stay reach 70 days when she again leaves on 15 May. On 21 July, she arrives with her family in Italy for vacation. Can she stay in the Schengen-area past 31 July (the 6 months limit) without leaving the area, and start her 90 day quota afresh for the second six-month period?

**Answer:** Ms Chen is only travelling in the Schengen-area. If Mrs Chen re-enters the Schengen area on 21 July with 70 days of accumulated stay, then she would be able to stay in the area past the 31 July, without the need to leave the area, and start her second

six-month period of stay. However, since she has already spent 11 days of stay prior, she would only have 79 days left in the second six-month period. If she would leave the area on 31 July, and re-enters on 1 August, then she would still have her 90 day allocation intact for the second six-month period.

Stays in Romania, Bulgaria, Cyprus, UK and Ireland will be counted separately from stays in the Schengen area, since these countries are either not members of the Schengen-area or only partially apply Schengen-rules.

**13. How long can I stay in the Schengen area if I already have a valid visa prior the exemption has become effective?**

For holders of national visas (typically for long stays in the territory in one of the Member States): the previous stay only counts as a national stay and therefore the holder is entitled to stay up to 90 days in the Schengen area after the entering into force of the visa waiver program. For instance, if the national visa expires on February 3rd of 2011, the person will be able to stay in the Schengen area for an extra 90 days maximum.

For holders of Schengen visa whose validity runs until 2011, the previous stay will count as a Schengen stay. For instance, someone has a Schengen visa valid and has stayed in the Schengen area from December 2nd to February 2nd (63 days). If he returns on February 3rd in the Schengen area, this person will only have 27 days left in that particular 6 months (from December to May).

**14. What are the entry conditions to the EU Member States?**

The visa waiver does not give an unconditional right of entry and short stay. The visa waiver does not affect the other conditions for entry and short stay. There are a number of conditions that Member States can check like: possession of a valid return ticket, evidence of funding, etc...

For detailed information, please check Council regulation 562/2006 on the rules governing the movement of persons across borders (Schengen borders code): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:105:0001:0032:EN:PDF>

If entry is refused on the basis of the lack of fulfilment of the entry conditions, the person should be issued a written decision stating the reasons for the refusal and has the right to appeal that decision. These appeals shall be conducted in accordance with the national law of the Member States concerned and the relevant information should be given to the person.

**15. What documents do I need to show to the immigration officer at the port of entry?**

You need to show your valid passport. The passport validity should be at least three months at the intended time of departure.

In addition, you might be asked also to show: flight tickets for further journeys and return tickets; evidence of sufficient means of subsistence; reservation of accommodation, invitation letter in case of visits, conferences; school enrolment certificate in case of study etc.

A detailed overview of documents you might be asked for can be found here:

**ANNEX : supporting documents to verify the fulfilment of entry conditions in the Schengen area.**

**16. Do I need to have a valid travel medical insurance to travel to the Schengen area ?**

Travel Medical Insurance is not necessary to enter the Schengen area after the visa waiver but it is highly recommended to have a medical insurance when travelling abroad as a general good practice.

**17. Will all the different authorities of the Members of the Schengen area be informed of these changes?**

Yes.

**18. How many will benefit then?**

Our statistics show that we received around 175 000 visa applications last year for short stay visa and that on average 310 000 Taiwanese are travelling to Europe every year. Looking at the example of the UK, Ireland or New Zealand which have already waived the visa obligation, the number of visitors has increased between 35 and 40%. We expect that the number of travellers to the EU will follow a similar path

**19. Can visas be re-imposed?**

There are regular reviews of the regulation and in case the conditions for the visa waiver would not be met any longer, third countries can be transferred to the negative visa list. However, the decision to lift the visa requirement now reflects our confidence that Taiwan poses a very low risk.

**20. My application was processed last week, can I get a refund ?**

Basically, once an application has been accepted, there is no possibility for a refund. For this matter, you can seek confirmation with the relevant Member States office where you have applied.