

## **Ad-Hoc Query on format of residence cards and family permits**

**Requested by UK EMN NCP on 8<sup>th</sup> October 2012**

**Compilation produced on 6 December 2012**

**Responses from Austria, Belgium, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom (20 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 UK Border Agency is considering the format of documents issued to nationals of non-Member States under Articles 5 (2), 9 and 10 of Directive 2004/38/EC. The agency is considering providing secure, biometrically-linked standalone residence cards. Therefore, we would like to find out Member States' practice in this regard, if possible by **5 November 2012**.

The UK wishes to know the following.

1. In what format do you issue residence cards to the non-EEA family members of EEA nationals under Articles 9 and 10 of Directive 2004/38/EC (eg card with facial image/fingerprints on chip (biometrics), card with facial image only, vignette or sticker or stamp in passport, any other type of card or document)?
2. Do you charge for providing the above documentation and if so what is the cost, what is your rationale for the fee level that you charge and how often do you review the cost?
3. What legal powers domestically enable you to take biometrics from non-EEA family members of EEA citizens who apply for residence cards under Directive 2004/38/EC?
4. Do you require holders of the document to notify you when there are any changes which may affect the integrity of the document (eg. change of appearance if there is a photograph, whether the document has been lost or stolen)?
5. Do you require holders of residence cards to notify you of changes in their circumstances which affect their status under Directive 2004/38/EC, for example if their non-EEA national family member is no longer exercising treaty rights or if the nature of the family relationship changes (e.g. a non-EEA wife of an EEA national divorces her husband and there are no retained rights under Article 13)?

6. If a residence card has to be re-issued, due to a change in circumstances or because it is lost or stolen, do you charge for the replacement document? If so do you charge the same fee as for the initial document?
7. Have you encountered any problems with issuing these documents, or if you do so, in taking biometrics from non-EEA family members?
8. In what format do you issue entry clearance visas for the third country national family members of EU nationals who wish to enter the Union under Article 5 (2) of Directive 2004/38/EC?

## **2. Responses**

		<b>Wider Dissemination?</b> <sup>1</sup>	
	<b>Austria</b>	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	<b>Belgium</b>	Yes	<ol style="list-style-type: none"> <li>1. The format in which (permanent) residence cards are issued to family members of EU citizens is purely national and is that of <b>identity cards</b> issued to Belgians. This card shows the holder's <b>photograph</b>. It is equipped with a <b>contact chip</b> containing the photograph but not the fingerprints.</li> <li>2. The cost is the same as for an identity card for Belgians: <b>12 Euros</b> + possible municipal <b>taxes</b>.</li> <li>3. Belgium <b>does not capture fingerprints</b> of family members of EU citizens.</li> <li>4. Yes, the card holder is required to <b>have his/her card replaced</b> when the photo isn't a true likeness of him / her anymore, when the card is damaged, destroyed, lost or stolen.</li> <li>5. No</li> <li>6. The fee for having a card replaced is <b>12 Euros</b> plus local <b>taxes</b>. Municipalities may establish, when replacing the card, <u>higher taxes</u> than when initially delivering it.</li> <li>7. /</li> <li>8. If the family member of an EU citizen requests, at the diplomatic or consular post, to benefit from Directive 2004/38/EC, he/she will receive a <b>visa C</b> (in case of positive decision). This occurs in the majority of cases. However, if the family member applies for family reunification under Article 40bis of the Belgian Aliens Law (regulating family reunification between an EU citizen and a member of his/her family being him/herself a Union citizen or a third country national), he/she will be granted a <b>visa D</b>.</li> </ol>
	<b>Estonia</b>	Yes	<ol style="list-style-type: none"> <li>1. Please find here link to our residence permit example: <a href="http://www.politsei.ee/en/nouanded/dokumentide-naidised/residence-card-for-an-alien.dot">http://www.politsei.ee/en/nouanded/dokumentide-naidised/residence-card-for-an-alien.dot</a> . Residence card contains its holder's personal data, data related to residence and work permits, photo and fingerprint images.</li> <li>2. The right of temporary residence of a family member of an EU citizen state fee is 30.67 €</li> </ol>

			<p>3. Upon applying for a right of residence, fingerprints shall be captured from a family member of an EU citizen starting from age 6, the fingerprints shall be entered on the residence card of the family member of an EU citizen. Legal base is Citizen of the European Union Act.</p> <p>4. Yes, the document holder must inform any relevant changes to involved authorities immediately.</p> <p>5. Yes, the document holder must inform any relevant changes to involved authorities immediately.</p> <p>6. Extension of the right of temporary residence of a family member of an EU citizen costs 30.67 €</p> <p>7. No information available.</p> <p>8. Estonia issues the visas for entering a country.</p>
	Finland	Yes	<p>1. The layout of the residence card of a family member of an EU citizen reminds the residence permit card. The heading is OLESKELUKORTTI / UPPEHÅLSKORT (meaning residence card) and there is a text FINNISH RESIDENCE CARD / CARTE DE SEJOUR FINLANDAISE at the lower edge of the card.</p> <p>The residence card contains same safety features as the residence permit card. The residence card contains same biometric identifiers as the residence permit card (finger prints and facial image). Additionally, there is a signature of the holder in the residence permit card.</p> <p>2. Finland is charging 95 euros for a residence card. The same fee is charged in case the holder of the card reapplys for a card e.g. due to the loss of the card or changes in the information contained in the card. The fee is based on the Decree of the Ministry of the Interior (The Decree of the Finnish Ministry of the Interior on the fees for the performances of the Finnish police in 2012). The processing fees are adjusted annually.</p> <p>3. The capturing of the biometric identifiers for a residence card is prescribed in section 161a(2) of the Finnish Aliens Act. (Upon the filing of the residence card application, the applicant is fingerprinted as provided in section 60d. The applicant must enclose his or her facial photograph with the application.)</p> <p>4. It is recommended to acquire a new card in case recognizing the holder of the residence card from the photograph is difficult due to the change of appearance. In case the residence card is lost or stolen the holder of the card is required to notify the police and apply for a new card thereafter.</p> <p>5. According to the Aliens Act, the holder of a residence card is required to apply for a new residence card in case the data recorded in the card is now longer valid. In case a change in the circumstances of the holder (e.g. divorce) comes to the knowledge of the police a hearing of the holder of the card shall be conducted in order to find out whether the conditions for issuing a card are still met or whether the residence card should be cancelled.</p> <p>6. The same fee (95 euros) is charged for the replacement document as for the initial one.</p>

			<p>7. No major problems have been reported regarding the capture of biometric identifiers. In individual cases problems are sometimes encountered (e.g. missing fingers, damaged fingers).</p> <p><b>8. -</b></p>
 France	Yes		<p>1. The format of residence permits issued in France follows the rules laid down by Regulation 1030/2002/EC of 13 June 2002 as amended by Regulation 380/2008/EC of 18 April 2008 which requires Member States to grant to foreigners residence permits containing an electronic component including two biometric data: a digital photograph and the image of two fingerprints of the holder. In accordance with a time schedule for the implementation of this Regulation, the integration of digital photograph in the electronic component started on 20 May 2011 whereas certain residence permits with the holder's fingerprints have been delivered since 20 June 2012. The issuance of this new model of residence permits is spreading and should be completed by the end of the third quarter of 2013. These residence permits are issued to third-country nationals as well as non-EEA family members of EEA nationals.</p> <p>2. The issuance of residence permits to non-EEA family members of EEA nationals is free of charge. Applicants only have to pay for a duplicate. In case of irregular entry, the issuance of the first residence permit is subject to the payment of a regularization visa right of 340€</p> <p>3. Law No. 2003-1119 of 26 November 2003 on the control of immigration, residence of foreigners in France and nationality gave a legal basis for the collection of biometric data from foreigners applying for a residence permit in France. Article 11 of this law inserted in Order No. 45-2658 of 2 November 1945 on the conditions of entry and residence of foreigners in France a provision which became the first sentence of the first paragraph of the Article L. 611-3 of the Code on Entry and Residence of Foreigners and Right of Asylum (Code de l'entrée et du séjour des étrangers et du droit d'asile = CESEDA) reads as follows: "In order to guarantee the right of residence of legally staying persons and fight against the irregular entry and residence of foreigners in France, fingerprints and a photograph of foreigners (...), applying for a residence permit can be identified, stored and subject to automated processing under the conditions established by law No. 78-17 of 6 January 1978 relating to data, files and freedoms." Decree No. 2011-638 of 8 June 2011 on the files management application of foreign nationals, residence permits and travel documents of foreign nationals determine the conditions of application of such a measure.</p> <p>4. Non-EEA family members of EEA nationals are required to hold a residence permit. If the document has been lost or stolen, they must apply for a duplicate. They have to report theft to the police or to the gendarmerie where the offence occurred if the theft took place in France or to the local police and the nearest consulate if the theft took place abroad. They have to report loss to the prefecture or sub-prefecture of their place of residence. In both cases, they have to apply for a duplicate at the prefecture or sub-prefecture of their place to residence. To be re-issued a residence permit, the applicant has to pay a tax of 16€ by ordinary tax stamps.</p> <p>5. There is no obligation to notify the authorities of changes in foreigners' circumstances which affect their status under Directive 2004/38/EC.</p> <p>6. The issuance of a duplicate of a residence permit is charged. To be re-issued a residence permit, the applicant has to pay a tax of 16€ by ordinary tax stamps.</p> <p>7. Any difficulty regarding the issuance of such documents has been raised.</p> <p>8. Article 5(2) of Directive 2004/38/EC stipulates that family members are subject to the obligation of entry clearance visas in accordance</p>

			with Regulation 539/2001/EC. In this framework, French authorities deliver to third-country national family members of EU nationals, subject to the obligation of entry clearance visas, short-term Schengen visas for EU/EEA family.
	Greece	Yes	<ol style="list-style-type: none"> <li>1. In Greece, a special residence card is issued to non EEA family members of EEA nationals, in the form of a separate document, with certain security features. A facial photograph, with the technical specifications used for the passport, is also attached to this document. No fingerprints are taken for that purpose.</li> <li>2. The residence card for non EEA family members of EEA nationals is free of charge, according to article 25 of Directive 2004/38/EC.</li> <li>3. As mentioned above, no fingerprints are currently taken for the residence permit of non EEA family members of EEA nationals.</li> <li>4. In cases of loss of theft of his/her residence card, or any other changes that affect the integrity of the document, the third country national concerned, is obliged, under general provisions of hellenic migration law, to notify the competent authorities and have it replaced, under the applicable procedure.</li> <li>5. According to general provisions of migration legislation, any third country national is obliged to notify the competent authority of the issuance of his/her residence card on any changes related to his/her personal situation (divorce or annulment of marriage, death or departure of the other spouse, birth of a child). In addition, under the provisions implementing the Directive 2004/38/EC, the non EEA family members of EEA nationals should submit a new application with the relevant documentation, which will certify the true circumstances for the retention of their right of residence and change their status accordingly, if necessary.</li> <li>6. In cases that the residence card has to be re-issued, due to a change in circumstances or because it is lost or stolen, the procedure is also free of charge, same as for the issuance of the initial document.</li> <li>7. Since the residence card for non EEA family members of EEA nationals were designed especially for the implementation of the Directive 2004/38/EC (it is also used though in the cases of residence documentation for family members of Greek nationals), no significant problems were encountered until today as far as technical or other procedural issues where concerned.</li> <li>8. We issue entry clearance visas for the third country national family members of EU nationals who wish to enter the Union under Article 5 (2) of Directive 2004/38/EC, as a uniform visa type C.</li> </ol>
	Germany	Yes	<ol style="list-style-type: none"> <li>1. Family members of nationals from EEA Member States who themselves are not nationals of EEA Member States at first receive a residence card ex officio and after a five year legal stay and upon request will be granted a permanent residence card. The template of the card which has been fitted with electronic memory and processing media complies with the EC Directive no. 380/2008 of the Council dated 18th April 2008 amending the EC Directive no. 1030/2002 for the uniform design of the residence permit for nationals from third countries (Official Journal of the European Union no. L 115 dated 29th April 2008, page 1) in the respective current version. The chip of the card contains electronic data in the form of biometric data and records the photograph as well as the prints of two fingers together with an indication of the fingers as recorded and an indication as regards to the quality of the fingerprints (§ 11 paragraph 1, sentence 3 of the EU Law on the Freedom of Movement in conjunction with § 78, paragraph 1, Residence Act and § 59, paragraph 2, German Regulation governing Residence).</li> </ol> <p>In certain exceptional cases, the cards may be issued on a nationally determined (paper) model form which then contains a photograph but no fingerprints (§ 11, paragraph 1, sentence 6 of the EU Law of the Freedom of Movement in connection with § 78a, paragraph 1,</p>

		<p>sentence 1, Residence Act); the model form can be found at <a href="http://www.gesetze-im-internet.de/aufenthv/anlage_d15_160.html">http://www.gesetze-im-internet.de/aufenthv/anlage_d15_160.html</a>.</p> <ol style="list-style-type: none"> <li>2. For the issuance of each residence card and each permanent residence card a fee of Euro 28.80 is charged; individuals who have not yet reached the age of 24 will pay a fee of Euro 22.80. The same fee will also be charged for the re-issuance of the residence card and/or permanent residence card if this is required due to for example a change of personal data or the loss of the previous card. If the cards are issued on the nationally determined model form, the fee is Euro 8.00 for each card. (§ 47, paragraph 3 and/or paragraph 4, German Regulation governing Residence). The charging rates are aligned with the fees charged for personal identity cards issued to German nationals. In individual cases and for special reasons, e.g. humanitarian reasons, the fee may be reduced or waived in its entirety. (§ 52, paragraph 7, German Regulation governing Residence).</li> <li>3. The family member of a national from the EEA Member States who is not himself/herself a national of the EEA Member States is obliged, in accordance with § 11, paragraph 1, sentence 1, EU Law on the Freedom of Movement in conjunction with § 82, paragraph 5, German Residence Act, to present a recent photograph for the issuance of a residence or permanent residence card or to cooperate in the process of photographing him/her as well as taking fingerprints of him/her.</li> </ol> <p>Within the scope of the identity card requirements of the person concerned, the competent authorities are entitled to read the biometric data stored in the electronic storage and processing media of his passport or travel paper in lieu of passport (fingerprints, photograph and picture of the iris) in accordance with § 8, paragraph 2, EU Law on the Freedom of Movement Act. The competent authorities are also entitled to collect any biometric data required and to compare such biometric data against each other. Immediately after the completion of the investigation of the authenticity of the document or the identity of the bearer of such a card, the data as collected must be deleted.</p> <ol style="list-style-type: none"> <li>4. The notification obligation regarding changes concerning the use of the residence and/or permanent residence card has not been explicitly regulated because the card is not constitutive for the Right to Freedom of Movement as derived from family ties. The card is merely intended to make it easier for the holder of such a card to prove his/her right to the freedom of movement. However, this also requires the proof of identity with the help of a passport or a travel paper in lieu of passport; such obligations concerning the proof of identity are regulated by law and any violation against this law is punishable by law in the form of an administrative offence and carries a fine of between Euro one thousand and two thousand five hundred; the legal basis are the §§ 8 and 10, EU Law on the Freedom of Movement.</li> <li>5. A notification obligation for the person concerned regarding changes in the personal circumstances has not been regulated explicitly. In accordance with § 5, paragraph 4, EU Law on the Freedom of Movement, provisions are made for the verification of the continued existence of the issuance preconditions for the residence card only for specific reasons.</li> <li>6. Please see reply to question 2.</li> <li>7. We have no information on the subject.</li> <li>8. The visa is issued in the form of a national visa and complies with the template of the EC Directive no. 1683/95 of the Council dated 29th May 1995 about the uniform design of a visa (Official Journal of the European Union no. L 164 dated 14th July 1995, page 1) in the respective current version (§ 59, paragraph 1, German Regulation governing Residence). In the section “note/requirements” of the</li> </ol>
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			visa one will find the entry „family member of a citizen of the Union/EEA”. The issuance of the visa is free of charge (§ 2, paragraph 6, EU Law on the Freedom of Movement).
 Hungary	Yes		<p>1. The right of residence of family members who are third-country nationals for a period of longer than three months shall be evidenced by a document issued by the competent authority ("residence card"). <a href="http://prado.consilium.europa.eu/en/4395/docHome.html">http://prado.consilium.europa.eu/en/4395/docHome.html</a></p> <p>2. The cost of the procedure is 1500 HUF (~5€). The price of the residence card has never changed since the introduction.</p> <p>3. In Hungary this residence card is a non- biometrics card.</p> <p>4. EEA nationals and the family members if the residence card is lost, stolen, destroyed or has expired shall report it to the competent authority, as well as if any such document that was presumed lost and reported as such is found subsequently.</p> <p>EEA nationals and their family members exercising the right of residence for a period of longer than three months shall report, by communicating the personal data: a) the death of a family member in their household; b) any change of name, if the death or change of name occurred outside Hungary.</p> <p>5. EEA nationals and their family members may notify the competent authority when they no longer wish to exercise their right of residence, or if they intend to leave Hungary permanently, including the country of next habitual residence, and may turn in the document evidencing their right of residence. The family member shall notify any changes in his/her title of residence and shall provide proof for the right of further residence, moreover shall notify the termination of his/her relationship underlying his/her right of residence.</p> <p>6. The cost of the recharged, replacement and also renewal is 1500 HUF (~5€).</p> <p>7. The format of the visa: it is a vignette in the passport.</p>
 Italy	Yes		<p>1. Italy issues to the non-EU family members of EU nationals a residence card in paper format.</p> <p>2. The residence card for family members of EU nationals is released upon payment of €14,62 (official stamp), equal to the fee that all citizens have to pay when submitting to Public Administration an application for release of certificates/documents, etc.</p> <p>3. Biometrics (fingerprints and photo) can only be taken by State Police.</p> <p>4. No, this is not envisaged by law. However, Immigration offices at the police Headquarters are used to verbally inform interested aliens about the need to replace the residence permit in case of deterioration.</p> <p>5. No, this is not envisaged by law. However, Immigration offices at the police Headquarters are used to verbally inform interested aliens about the rights and duties deriving from the condition of family members of EU nationals.</p>

			<p>6. The only cost envisaged is the one related to the purchase of the official stamp equal to €4,62.</p> <p>7. No, since Italy does not yet issue the residence card in electronic format.</p> <p>8. Italy releases the entry visa as a sticker on the passport, containing the holder's data, the reason for issuing the visa and its length of validity, without any photos/fingerprints.</p>
 Latvia	Yes		<p>1. Latvia issues a residence permit card according to Regulation 1030/2002. Biometric data (finger prints and facial data) are included into the card.</p> <p>2. Examination of documents is free of charge. A state duty for producing the card is 10 LVL (appr. 14 EUR). Fee has been calculated according to the actual expenses. As ID cards have been introduced only since 2<sup>nd</sup> April 2012, the fee has not been revised yet.</p> <p>3. A necessity to submit biometric data (for citizens of Latvia, third-country citizens who receive a residence permit in Latvia and EU/EEA citizens and their family members as well) has been stipulated in "Personal Identity Documents Law".</p> <p>4. There is no obligation to notify, however it has been stipulated in the legislative act that in these cases a new document can be issued.</p> <p>5. No, we do not ask it, but we can revoke a residence permit if this information has been notified by civil registrars, municipality etc.</p> <p>6. We charge the same state duty for every card issued. There used to be decreased duty for a stolen ID documents but it was abolished due to the difficulties of administration.</p> <p>7. We haven't encountered any problems yet.</p> <p>8. It is uniform (Schengen) format visa.</p>
 Lithuania	Yes		<p>1. Currently Lithuania issues a residence card with facial image only. But as of January 1 2013, Lithuania will issue biometric residence cards to the non-EEA family members under the Directive 2004/38/EC (articles 9 and 10).</p> <p>2. Yes. The fee until 2013 is 90 LTL and as of 2013 as it is foreseen <b>in the draft</b> of the ruling on fees is to be 100 LTL (1 EUR is 3.4528 LTL). The fee is established in accordance with the Law on Fees and charges and it takes into account the related expenses to produce a document (that is remuneration for work, expenses to produce the form of a document, expenses related to the verification of conformity with the requirements set forth in legal acts). The fees are examined annually.</p> <p>3. The Law on the Legal Status of Aliens.</p> <p>4. The alien in question in case the residence card has been lost shall inform the police station/ migration service on the issue.</p> <p>5. There is no such the obligation to inform.</p> <p>In the national legislation it is provided that (depending on the ground on which the residence card has been issued) if the decision of the court on withdrawal of the right has been adopted the necessary documents are sent to the competent institution to make the decision on</p>

			<p>the withdrawal of the card. If the ground the residence card to be withdrawn has been established the competent civil servants of the migration service collect the information/documents supporting the mentioned ground and forward it to the competent institution for the decision on the withdrawal of the right and /or residence card to be made (in this case the alien in question may be invited to migration service to provide the necessary explanations/documents).</p> <p>6. In the draft of the order on the issuance of the residence card it is foreseen the exception that when the card is to be changed due to inaccurate information there is no fee, but in all other cases the fee is to be 30 LTL.</p> <p>7. Since residence cards will be issued only from 2013, we do not have any information.</p> <p>8. If visa is required due to Regulation 539/2001, it is issued a Schengen visa which is free of charge. And of course if alien in question possesses a residence card referred to in Article 10 of the Directive 2004/38/EC no visa is required.</p>
 Luxembourg	Yes		<p>1. In Luxembourg the residence cards to the non-EEA family members of EEA nationals is issued in a card with facial image but it does not have a biometrical chip. The identity photo must be taken in accordance with ICAO regulations. This residence cards are issued by the Directorate of Immigration (article 15 of the Law of 29 August 2008 on free movement of persons and immigration) and can be withdrawal at the municipality administration.</p> <p>2. No. The issuance of the residence card for a family member of an EU or assimilated national is free of charge.</p> <p>3. N/A</p> <p>4. Yes : In case of lost or if they are stolen the person must inform of the fact to the Grand ducal police for applying for a replacement.</p> <p>5. There is no an express obligation for the family member to signal the authorities if their situations change. However, a person who do not respect the conditions established by the law losses its residence permit.</p> <p>6. No. As we mention it is free of charge.</p> <p>7. No.</p> <p>8. In case that the third country national family member needs a visa, the Directorate of Immigration will grant a D visa.</p>
 Netherlands	Yes		<p>1. The Netherlands does not issue at the moment a special card for non-EEA family members. We are waiting on the European Commission decission about the formal document titel. EEA nationals received an ID-1 card without fingerprints.</p> <p>2. We do not charge them for the document.</p> <p>3. We do not take any fingerprints from this group.</p> <p>4. They have to report it by the police when they lose there document.</p> <p>5. All holders of a residence permit are obliged to report changes which may have consequenses fot their rights to the residence permit to the police.</p> <p>6. No.</p> <p>7. Not yet</p>

		8. The Schengen visa sticker
Poland	Yes	<p>1. Residence card of a family member of a Union citizen issued under art. 10 of the Directive 2004/38/EC (and also permanent residence card for family members who are not nationals of a Member State issued under art. 20 of the Directive 2004/38/EC) is issued as a separate document with a photo of its holder, in a paper form. For the details (and security features) go to:</p> <p><a href="http://prado.consilium.europa.eu/PL/5408/docHome.html">http://prado.consilium.europa.eu/PL/5408/docHome.html</a></p> <p><a href="http://prado.consilium.europa.eu/PL/5567/docHome.html">http://prado.consilium.europa.eu/PL/5567/docHome.html</a></p> <p>Issuance of the residence card takes place under an application of the non-EEA family member of EEA national.</p> <p>2. According to art. 25 par. 2 of the Directive 2004/38/WE the residence card or permanent residence card for family members who are not nationals of EEA Member States shall be issued free of charge or for a charge not exceeding that imposed on nationals for the issuing of similar documents.</p> <p>Issuance of IDs for PL nationals is free of charge so issuance and replacement of the residence cards for non-EEA family members of EEA national is also free of charge.</p> <p>3. PL does not currently take biometrics from applicants for residence cards, but is considering to do so.</p> <p>4. According to Polish legislation (Act of 14 July 2006 on the entry into, residence in and exit from the Republic of Poland of nationals of the European Union Member States and their family members) the residence card of the family member shall be replaced in the case if:</p> <ul style="list-style-type: none"> <li>(1) the data in the documents needs to be amended,</li> <li>(2) the document is destroyed,</li> <li>(3) appearance of the person changes in a way that makes the establishment of the person's identity difficult,</li> <li>(4) expires.</li> </ul> <p>In case the residence card of the Union citizen family member is lost, a new card is issued.</p> <p>Issuance of the new residence card or its replacement takes place under an application of the non-EEA family member of EEA national.</p> <p>According to the above mentioned Act on the entry into, residence in and exit from the Republic of Poland of nationals of the European Union Member States and their family members a person who evades the obligation to hold or change (replace) the residence card of a family member of a Union citizen or a card of permanent residence of a family member of a Union citizen shall be subject to a fine (up to 5.000 PLN (ca 1.250 EUR)).</p>

			<p>5. The holders of residence cards are not required to inform the authorities if there are any changes which affect their status under the Directive, however they are advised to do so when the card is issued.</p> <p>In this circumstances (change of the status) the residence card shall be annulled.</p> <p>6. As indicated in point 2 re-issuance of the residence card is free of charge.</p> <p>7. No, we haven't.</p> <p>8. PL issues visas for the third country national family members of EU nationals using the Schengen visa stickers (and the same application). The procedure established by the Visa Code is applicable when not contrary to the provisions of the Directive 2004/38/WE (e.g. those visas are free of charge).</p>
	<b>Portugal</b>	<b>Yes</b>	<p>1. PT issues to third-country family members of a European Union/EEA national, who are staying in Portugal for more than three months, the resident permit available at <a href="http://prado.consilium.europa.eu/EN/3509/docHome.html">http://prado.consilium.europa.eu/EN/3509/docHome.html</a></p> <p>2. Yes. 15 euros. (Portaria n.º1334-D/2010)</p> <p>3 Art.º 112 of Immigration act states that on establishing or confirming the identity of foreign citizens, SEF may use the civil identification means foreseen in the law and community regulations applicable to the issuing of identity cards and visas, namely the gathering of face images and finger prints, using whenever possible biometrics and expertise.</p> <p>4. Yes. In both situations holders ask a replacement residence card and present a report of stolen/lost of the previous document.</p> <p>5. Yes. In both situations holders ask a replacement residence card due to the changing of name, civil status or address. Depending the situation they present a new birth certificate with all changes or the divorce decision and also any papers to prove the new address (eg.water bill or a certificate issued by the local administrative authority).</p> <p>6. Yes, we charge 25 euros.</p> <p>7. No, nothing at all.</p> <p>8. PT issues uniform format visa sticker available at <a href="http://prado.consilium.europa.eu/EN/1534/docHome.html">http://prado.consilium.europa.eu/EN/1534/docHome.html</a> which has quick procedures and is free of charge providing third country national family members of EU nationals has a valid passport. If the person holds a residence card he is exempt of visa obligations and in that case his passport is not stamped.</p>
	<b>Slovak Republic</b>	<b>Yes</b>	<p>1. The Slovak Republic started to issue to all foreigners a document on residence in the form of a polycarboxylic card with the secondary biometry (scanned facial image, fingerprints) as of 19 September 2011 in line with the Regulation 380/2008 from 18 April 2008 amending and supplementing the Regulation 1030/2002 which regulates the uniform format for residence permits.</p>

			<p>2. The administrative fee for issuance of the document on residence is EUR 4, 50 and was set in the same amount as the fee for the issuance of the ID card of the Slovak Republic in line with the Act on Administrative Fees 145/1995.</p> <p>3. In line with the Act on Residence of Foreigners (404/2011)</p> <p>4. Yes, in line with the Act on Residence of Foreigners is the family member of the EEA citizen obliged to inform about the change of the document or on its loss, steal or damage.</p> <p>5. Yes, in line with the Act on Residence of Foreigners the family member of the EEA citizen is obliged to inform the policy unit on the change of the family status. The right to stay of the family member of the EEA citizen is kept also in case of divorce or nullity of the marriage with the sponsor after fulfilling the conditions set by the law.</p> <p>6. The administrative fee is set by the Act on Administrative Fees (145/1995). In case of the damaged, lost or stolen document a fee in the amount of EUR 16, 50 is paid. If this happens consecutively in 2 years the fee is 33 EUR.</p> <p>7. There are no problems in collection of biometric data from the family members of EEA citizens in the Slovak Republic.</p> <p>8. The third country nationals – family members of the EEA citizens are issued with a visa in the form of a sticker at the border crossing when entering the EU territory.</p>
 Slovenia	Yes		<p>The format of document issued to the third country nationals who are family members of the EU Member States citizens is currently regulated by the Regulation on content, format, method of issuing and cessation of the residency certificate and residency permit of citizens of the EU Member States and their family members (The Official Gazette of the Republic of Slovenia, no. 99/11).</p> <p>1. The residence card is made by plastic material in format 91 X 60mm. A residence card includes a holder's photograph, information on date of validity of the residence card, type of residence permit, holder's personal data and information of the responsible authority who issued a residence card and date of issuing. No fingerprints are currently taken.</p> <p>2. Slovenia currently charge for providing a residence card 2,02 euro plus 9,51 euro for administrative fee (in total 11,53 euro) which is regulated by the Act regulating the payment of administrative fees. The amount of fee charge for issuing a document (residence card) is equal for issuing personal identity cards to citizens of the Republic of Slovenia with validity of ten years.</p> <p>3. Slovenia does not currently take biometric from applicants for above mentioned residence cards.</p> <p>4. Yes. Under article 8 of the above mentioned Regulation the holders of residency card are obligated to inform responsible authority about any changes which may affect the integrity of the document, such as document has been stolen or lost.</p> <p>5. Yes, the holders of residence card are required to inform authorities if there are any changes which affect their status under the Directive. However, provisions of the Alien Act do not foresee automatically annulment of the residence cards for third country nationals in case that they change their status under which they gain certain rights in Slovenia. For example, under Paragraph 3 of the Article 129 of the Alien Act in case of the divorce or annulment of a marriage and the annulment of a registered partnership shall not</p>

			<p>result in the loss of the temporary residence permit issued to the spouse or registered partner of an EU citizen or Slovenian citizen who has sufficient means of subsistence and appropriate medical insurance arranged if the marriage or registered partnership has lasted for at least three years, of which one year was spent in the Republic of Slovenia, etc.</p> <p>6. Yes, we charge replacement document but amount include only cost of the document which is 2, 02 euro without administration fee.</p> <p>7. Yes, we have some technical problems (fitting the relevant wording, etc) but we already resolved them all.</p> <p>8. Yes, we issued a sticker in the passport.</p>
	Spain	Yes	<p>1. Spain issues ID-1 format PVC cards, with facial image and fingerprint image.</p> <p>2. 10.30 € which is the same fee as charged for issuing the Spanish Identity Card. Revisions take place yearly.</p> <p>3. A Royal Decree regulating issuance and characteristics.</p> <p>4. Damage, loss or theft have to be reported and a new card has to be applied for.</p> <p>5. Changes in civil status, nationality, address or other relevant circumstances must be notified.</p> <p>6. The same fee as for the initial document.</p> <p>7. No. However, a new format, similar to third country nationals' residence cards, is being developed.</p> <p>8. Schengen visa sticker format.</p>
	Sweden	Yes	<p>1. Residence cards to the non-EEA family members of EEA nationals under Articles 9 and 10 of Directive 2004/38/EC are in Sweden issued as a card similar to a residence permit according to Council Regulation (EC) No 380/2008. The cards differ in that the residence card for a non-EEA family member under article 9 and 10 etc. is a card with facial image only.</p> <p>2. Cards are issued without charge.</p> <p>3. No biometrics (fingerprints) is taken.</p> <p>4. Holders of the document are not required to notify the Migrations Board about changes of appearance or if the document has been lost or stolen.</p> <p>5. Holders of residence cards are not required to notify the Migrations Board of changes in their circumstances which affect their status under Directive 2004/38/EC.</p>

			<p>6. Sweden does not charge the applicant if a residence card has to be re-issued.</p> <p>7. There have been some minor technical problems initially in issuing residence cards, but nothing serious. No biometrics is taken.</p> <p>8. A regular visa (sticker) with photo and fingerprints is issued for the third country national family members of EU nationals who wish to enter the Union under Article 5 (2) of Directive 2004/38/EC</p>
	<b>United Kingdom</b>	<b>Yes</b>	<p>1. In the UK a residence card currently takes the form of an endorsement in the non-EEA national's passport or on a separate, paper Immigration Status Document (ISD). The endorsement is a vignette (sticker) in the passport or on the ISD and includes a photograph. The photograph is sent to the agency by the applicant and no fingerprints are currently taken.</p> <p>2. The UK does not currently charge for an application for a residence card, but is considering doing so.</p> <p>3. The UK does not currently take biometrics from applicants for residence cards, but is considering requiring fingerprints and digital facial images to be recorded.</p> <p>4. In the UK registration and application for a residence card is not mandatory. The holders of residence cards are not currently required to inform our authorities if there are any changes which affect the integrity of the document.</p> <p>5. In the UK registration and application for a residence card is not mandatory. The holders of residence cards are not required to inform our authorities if there are any changes which affect their status under the Directive, however we do advise holders of residence cards to inform us of any changes in their circumstances in the standard letter accompanying their vignette/ISD when issued.</p> <p>6. The UK does not currently charge for an application for an application for a residence card or any replacement residence card, but is considering doing so.</p> <p>7. We have previously encountered issues with the quality of the photos submitted for inclusion on the vignette/ISD. We have also encountered issues with fitting the relevant wording for residence cards issued to those with derivative rights (for example as set out in ECJ judgements in <i>Ruiz Zambrano</i> C-34/09, <i>Ibrahim</i> C-310/08 and <i>Texeira</i> C-480/08 and <i>Chen</i> C-200/02 and similar) onto the vignette/ISD which has limited text space available. However, both of these issues have now been resolved.</p> <p>8. The UK issues a vignette (sticker) in the passport which includes a photograph and for which fingerprints are taken at visa application locations overseas (both in-house and through partnership arrangements).</p>

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