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#### COVER NOTE

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	14 March 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Delegations will find attached document C(2024) 1759 final.

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Encl.: C(2024) 1759 final



Brussels, 14.3.2024  
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**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 14.3.2024**

**amending Regulation (EC) No 810/2009 as regards the amount of the visa fees**

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE DELEGATED ACT

Article 16(9) of the Visa Code<sup>1</sup> tasks the Commission with an assessment of the need to revise the visa fees every three years. This provision became applicable in 2020, and the Commission has now carried out such an assessment for the three-year period since then.

The visa fee is currently EUR 80 for adults and EUR 40 for children aged six to below 12 years. If an implementing decision is adopted by the Council under point (b) of Article 25a(5) of the Visa Code due to insufficient cooperation on readmission, a visa fee of EUR 120 or EUR 160 may be applicable for applicants 12 years of age or older.

External service providers collecting visa applications on behalf of Member States may generally charge a service fee up to half the standard visa fee, i.e., EUR 40.

When assessing the need for revising the visa fees, the Visa Code requires the Commission to take into account objective criteria, such as the general Union-wide inflation rate as published by Eurostat and the weighted average of the salaries of Member States' civil servants. Therefore, in parallel to this delegated regulation, the Commission is presenting an assessment report, which sets out the detailed calculation methodology and concludes that an increase of the visa fees is justified.

The Commission has opted to limit the calculation of the revised visa fees to the two criteria listed in the Visa Code, i.e. the Union-wide inflation rate and the developments in salaries of Member States' civil servants. The three years between 1 July 2020 and 1 July 2023 were used as the reference period. The adjustments were calculated on an annual basis as follows.

*General Union-wide inflation rate<sup>2</sup>*

$$\text{Inflation rate} = \frac{(\text{index year } N + 1) - (\text{index year } N)}{\text{index year } N}$$

	<b>2020-2021</b>	<b>2021-2022</b>	<b>2022-2023</b>
Index June Year N	106.31	108.65	119.03
Index June Year N+1	108.65	119.03	126.69
Inflation rate	2.2%	9.6%	6.4%

*Weighted average of developments in salaries of Member States' civil servants*

The calculation is based on Eurostat's remuneration statistics for administrative purposes, which are used in calculating the annual update of remuneration of EU officials. The weighted average of the purchasing power of the salaries of the Member States' civil servants has been calculated in two steps:

The change in civil servants' real net remuneration in each Member State between year N and N+1 (=evolution of purchasing power) is multiplied by a weighing factor. The GDP expressed as the share of the total of EU GDP and measured in purchasing power parities is used as the

<sup>1</sup> Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), OJ L 243, 15.9.2009, p. 1.

<sup>2</sup> Source: monthly data on inflation published by Eurostat (harmonised index of consumer prices, HICP, index).

weighing factor. The real net remuneration indicator per Member State as well as the corresponding GDP weights are published by Eurostat<sup>3</sup> annually and cover the preceding year up to July 1.

The total EU-wide salary (purchasing power) indicator is calculated as the sum of each Member States's GDP-weighted indicator.

#### *Visa fee revision*

Combining the two factors, an annual indicator for the adjustment of the visa fee can be calculated:

$$\text{Visa Fee Adjustment Indicator} = \frac{(100 + \text{inflation rate}) * (100 + \text{purchasing power indicator})}{100} - 100$$

The revised visa fee has been calculated for each yearly period with this indicator:

Fee (Year N+1) = Fee (Year N) \* Indicator for period N to N+1

	<b>Inflation rate</b>	<b>Salary indicator</b>	<b>Visa fee indicator</b>	<b>Adjusted visa fee (EUR)</b>			
Start				80,00	40,00	120,00	160,00
2020-2021	2.2%	0.2%	2.4%	81,92	40,96	122,88	163,84
2021-2022	9.6%	-4.6%	4.6%	85,69	42,84	128,53	171,38
2022-2023	6.4%	-1.7%	4.6%	89,63	44,81	134,44	179,26

Rounding up to the nearest full euro results in revised visa fees of EUR 90, EUR 45, EUR 135 and EUR 180, respectively.

#### *Visa fee comparison*

In comparison to other peer countries of destination, at EUR 90 the fee for a Schengen visa will still be relatively low.

<b>Country</b>	<b>Fee in national currency</b>	<b>Approximate fees in EUR</b>
USA	185 (USD)	172
UK	115 – 771, depending on validity (GBP)	135 – 900
Canada	100 + 85 biometrics fee (CAD)	130
Australia	190 (AUD)	117
New Zealand	211, excluding tourism levy (NZD)	120
Japan	3000 single entry 6000 multiple entry (JPY)	19 38

## **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

The Commission organised an ad hoc meeting with experts from the Member States on 20 December 2023 to discuss the draft delegated regulation on revising the amount of the visa fee. At this meeting, the overwhelming majority of Member States supported the revision of the fees.

The draft delegated regulation was published for feedback from 2 February to 1 March 2024. Four EU citizens and seven persons in Türkiye submitted individual comments. A small business in Türkiye, active in education and visa consultancy, a Turkish university, a European nongovernmental organisation, and the International Air Transport Association

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<sup>3</sup> Source: Eurostat reports on the annual updates of remuneration and pensions of EU officials; <https://ec.europa.eu/eurostat/web/civil-servants-remuneration/publications>

(representing airlines) were the four organisations that provided feedback. In addition, an individual submitted comments that were not related to visa policy or the visa fees.

None of the comments received were in favour of an increase of the fees. The high cost of living and inflation were cited as arguments against a fee increase, as it might hinder travel and deter people-to-people contacts. Several comments linked this to the perceived poor quality of visa services, with difficulties in obtaining appointments, inconsistent practices between Member States and a lack of transparency. Respondents also criticised the role of external service providers.

However, the quality of service to applicants would not improve if the visa fees were maintained at current levels. On the contrary, the Commission expects Member States to use the newly generated income to help increase resources to reduce waiting times and improve the service to applicants.

The International Air Transport Association, while not explicitly opposing the fee increase, called for rapid progress in the digitalisation of the visa procedure, which it expects to reduce costs and fees for applicants. It presented evidence that the increased visa fee would account for 34% of an average airfare for travel to the Schengen area, up from 31% currently. However, this calculation does not consider costs for accommodation or subsistence, nor does it differentiate the average airfare by place of departure. Since the price of air tickets to the EU from visa-required countries (located mostly in Africa and Asia) is considerably higher than from visa-free countries (located mostly in Europe and the Americas), the share of the visa fee in the overall cost of travel to the EU is significantly lower than estimated by the organisation.

Hence, based on the feedback received from the meeting of experts and from the public consultation, the Commission considers it necessary to increase the visa fees.

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

The legal basis for this delegated act is Articles 16(9) and 51a of the Visa Code. Article 51a confers the power to adopt delegated acts referred to in Article 16(9) to the Commission for 5 years, starting August 2019. Article 16(9) empowers the Commission to adopt delegated acts amending the Visa Code with respect to the visa fees set out in Articles 16(1), 16(2), and 16(2a).

Article 1 of the delegated regulation amends paragraphs 1, 2 and 2a of Article 16 of the Visa Code and specifies the new visa fees to be charged.

Article 2 provides that the delegated regulation with the increased visa fees enters into force on the twentieth day following publication in the Official Journal. This will allow Member States the time to take the necessary administrative steps for implementing the increased fees.

This revision of the visa fees also impacts the maximum amount of the standard service fee that may be charged by external service providers, as laid down in Article 17(4) of the Visa Code. As a result, external service providers may henceforth charge a service fee of up to EUR 45 in most cases. However, the maximum service fees set out in paragraphs 4a and 4b of Article 17 are unaffected by the revision of the visa fees and remain at EUR 80 and EUR 120, respectively. Furthermore, the fee for an extension of a visa remains at EUR 30, as specified in Article 33(2) of the Visa Code.

The revision of the visa fees does not affect the fees laid out in visa facilitation agreements, unless the agreement's provisions make explicit reference to the visa fees set out in the Visa Code.

# COMMISSION DELEGATED REGULATION (EU) .../...

of 14.3.2024

## amending Regulation (EC) No 810/2009 as regards the amount of the visa fees

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas<sup>4</sup>, and in particular Article 16(9) thereof,

Whereas:

- (1) In accordance with Article 16(9) of Regulation (EC) No 810/2009, the Commission has assessed the need to revise the amounts of the visa fees laid down in that Regulation, taking into account objective criteria.
- (2) In its assessment, the Commission has analysed developments in the general Union-wide inflation rate and the weighted average of the salaries of Member States' civil servants between 1 July 2020 and 1 July 2023. It has concluded that there is a need to increase the amount of the visa fees by 12,5%.
- (3) Given that Denmark decided to implement Regulation (EC) No 810/2009 which builds on the Schengen *acquis* in its national law, in accordance with Article 4 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is bound under international law to implement this Regulation.
- (4) This Regulation constitutes a development in the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC<sup>5</sup>. Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.
- (5) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*<sup>6</sup>, which fall under the area referred to in Article 1, point B of Council Decision 1999/437/EC<sup>7</sup>.

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<sup>4</sup> OJ L 243, 15.9.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/810/oj>.

<sup>5</sup> 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, ELI: <http://data.europa.eu/eli/dec/2002/192/oj>).

<sup>6</sup> OJ L 176, 10.7.1999, p. 36, ELI: [http://data.europa.eu/eli/agree\\_internation/1999/439\(1\)/oj](http://data.europa.eu/eli/agree_internation/1999/439(1)/oj).

<sup>7</sup> Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31, , ELI: <http://data.europa.eu/eli/dec/1999/437/oj>).

- (6) As regards Switzerland, this regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*<sup>8</sup>, which fall under the area referred to in Article 1, point B of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC<sup>9</sup>.
- (7) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*<sup>10</sup>, which fall under the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU<sup>11</sup>.
- (8) As regards Cyprus, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen *acquis*, within the meaning of Article 3(2) of the 2003 Act of Accession.
- (9) As regards Bulgaria and Romania, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of Article 4(2) of the 2005 Act of Accession.
- (10) Regulation (EC) No 810/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

In Article 16 of Regulation (EC) No 810/2009, paragraphs 1, 2 and 2a are replaced by the following:

‘1. Applicants shall pay a visa fee of EUR 90.

2. Children from the age of six years and below the age of 12 years shall pay a visa fee of EUR 45.

2a. A visa fee of EUR 135 or EUR 180 shall apply if an implementing decision is adopted by the Council under Article 25a(5), point (b). This provision shall not apply to children below the age of 12 years.’

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<sup>8</sup> OJ L 53, 27.2.2008, p. 52.

<sup>9</sup> Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1, ELI: <http://data.europa.eu/eli/dec/2008/146/oj>).

<sup>10</sup> OJ L 160, 18.6.2011, p. 21.

<sup>11</sup> Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19, ELI: <http://data.europa.eu/eli/dec/2011/350/oj>).

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 14.3.2024

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*