

09 December 2022 Reg. No

Ref: DETIAS/ACU/12/2022

Frequently Asked Questions (FAQ)

In support of carriers' public section

Done at Warsaw 09/12/2022

1. Contents

| 2. | General Questions | 9 |
|-------|---|-----|
| 2.1. | What is the Entry and Exit System (EES)? | 9 |
| 2.2. | What is the European Travel Information and Authorisation System (ETIAS)? | 9 |
| 2.3. | What is the applicable legislation for the implementation of EES and ETIAS in | I |
| relat | ion to the obligation of carriers? | 9 |
| 2.4. | Which countries use EES? | 10 |
| 2.5. | Which countries require ETIAS? | 10 |
| 2.6. | What is the definition of a carrier and which carriers are bound by EES and | |
| ETIAS | 5? | 10 |
| 2.7. | Which carriers are not bound by EES and ETIAS? | 10 |
| 2.8. | What are the obligations of carriers for the implementation of EES? | 11 |
| 2.9. | What are the obligations of carriers for the implementation of ETIAS? | 11 |
| 2.10. | When will EES start its operations? | 11 |
| 2.11. | When will ETIAS start its operations? | 11 |
| 2.12. | Does a carrier have access to assistance related to EES and ETIAS? | 11 |
| 2.13. | What are the different roles of carriers and service providers? | 11 |
| 2.14. | Which travellers fall in the scope of EES? | 12 |
| 2.15. | Which travellers are out of the scope of EES? | 12 |
| 2.16. | Which travellers fall in the scope of ETIAS? | 12 |
| 2.17. | Which travellers are out of the scope of ETIAS? | 12 |
| 2.18. | What is the validity of an ETIAS travel authorisation? | 13 |
| 2.19. | Is the ETIAS travel authorisation equivalent to a visa? | 13 |
| 2.20. | Is the carrier interface and the Advanced Passenger Information System the | |
| same | ? | 13 |
| 2.21. | Will a carrier be informed when a new country joins the European Union or | the |
| Sche | ngen area? | 13 |
| 2.22. | Will the travel documents be stamped after EES enters into operation? | 14 |
| 3. | Carriers Registration | 14 |
| 3.1. | Why does a carrier have to register? | 14 |
| 3.2. | Do all carriers need to register? | 14 |
| 3.3. | Which carrier does not have to register for EES or ETIAS? | 14 |
| 3.4. | Do train carriers to register? | 14 |
| 3.5. | Is there a deadline for carriers to register?? | 14 |
| 3.6. | How can a carrier register? | 14 |

| 3.7. | What is the registration process? | 14 |
|----------|---|-----------|
| 3.8. | What documents does a carrier need to fill in during the registration process? | 15 |
| 3.9. | What is the mandatory documentation and information the carrier should | |
| provide | during registration? | 15 |
| 3.10. | Who is authorized to submit the 'Carrier Registration Form' to register a | |
| carrier? | | 16 |
| 3.11. | What is the role of the Single Point of Contact (SPoC)? | 16 |
| 3.12. | What is the security convention? | 16 |
| 3.13. | How can a carrier connect to the EES and ETIAS systems? | 16 |
| 3.14. | How can a carrier access the EES and ETIAS systems? | 16 |
| 3.15. | Does a carrier need to register separately for each of the different types of | |
| access t | they might choose (System-to-System, Web Portal, or Mobile App)? | 16 |
| 3.16. | Will carriers receive a notification upon submission of the registration request | ? |
| | | 16 |
| 3.17. | Will carriers receive a notification/be notified after/upon successful | |
| registra | tion? | 16 |
| 3.18. | What are the instruments of constitution and extract of company registration? | 17 |
| 3.19. | How can a carrier submit the "Carrier Registration Form"? | 17 |
| 3.20. | How can carriers add new contact details or modify/delete existing ones? | 17 |
| 3.21. | Where can carriers download the "Contact Details Form"? | 17 |
| 3.22. | Do carriers have immediate access to the EES and ETIAS systems upon success | ful |
| registra | tion? | 17 |
| 3.23. | How can carriers contact eu-LISA during the registration process? | 17 |
| 3.24. | Can carriers make a provisional registration, providing all necessary data but | |
| without | complying with the minimum-security requirements at this provisional stage? | 17 |
| 3.25. | Do carriers requesting web portal or mobile application connection to the | |
| carrier | interface need to declare a service provider? | 18 |
| 3.26. | Do carriers, service providers, network providers or ground handlers need to be | эe |
| register | red? | 18 |
| 3.27. | Can aviation groups register as a group or do the different group members | |
| (carrier | s) need to register separately? | 18 |
| 3.28. | If different carriers use the same service provider, does each carrier need to be | рe |
| register | red? | 18 |
| 3.29. | How many service providers can be declared by a carrier? | 18 |
| 3.30. | How should an entity that is both a carrier and a service provider register? | 18 |
| 3.31. | When will the service providers receive the necessary technical and functional | l |
| docume | entation? | 18 |

| 3.32. | Can a service provider liaise between eu-LISA and the carrier regarding | the |
|-------------|--|-----------|
| techni | cal compliance of the system? | 19 |
| 3.33. | When will carriers be able to start querying the carrier interface? | 19 |
| 3.34. | Is it necessary for carriers to register separately for EES and ETIAS in ord | der to |
| condu | ct a verification query via the carrier interface? | 19 |
| 4. C | Carrier Testing | 19 |
| 4.1. | Why is it necessary to test the connectivity to the carrier interface when | n a |
| system | n-to-system connection is requested? | 19 |
| 4.2. | For which access options is testing necessary? | 19 |
| 4.3. | How long will the testing period last? | 19 |
| 4.4. | What is the pre-compliance phase? | 19 |
| 4.5. | What is the compliance phase? | 19 |
| 4.6. | Are the pre-compliance and compliance phases mandatory for carriers | |
| reques | sting to use web portal and mobile application connection to the carrier in | terface? |
| | | 20 |
| 4.7. | Can carriers choose another type of connection to the carrier interface | after the |
| registr | ration is completed? | 20 |
| 4.8. | Do carriers who will not use the system-to-system connection need to re | egister? |
| | | 20 |
| 4.9. | If a carrier uses a service provider, who should perform the tests with e | u-LISA? |
| | | 20 |
| 4.10. | If a carrier is using several service providers, do all of them need to go t | hrough |
| the co | mpliance tests? | 20 |
| 4.11. | If a service provider is declared by more than one carrier, is it necessary | y for the |
| service | e provider to undergo the certification process for each carrier? | 20 |
| 5. C | Carrier deregistration and disconnection | 20 |
| 5.1. | When can a carrier deregister, be deregistered, or be disconnected? | 20 |
| 5.2. | Will a carrier be notified before being deregistered? | 21 |
| 5.3. | Can deregistered carriers become registered again? | 21 |
| 5.4. | Can deregistered carriers query the carrier interface? | 21 |
| 6. C | arrier Interface | 21 |
| 6.1. | What is the carrier interface? | 21 |
| 6.2. | How can carriers access the carrier interface? | 21 |
| 6.3. | Who will have access to the carrier interface? | 21 |
| 6.4. | What kind of information can be checked via the carrier interface? | 21 |

| 6.5. | What type of logs will be kept by eu-LISA and for how long? | 22 |
|----------|--|------|
| 6.6. | Who is responsible for the security of the carrier interface? | 22 |
| 7. V | erification process | 22 |
| 7.1. | What is a verification query? | 22 |
| 7.2. | How does the verification process affect travellers? | 22 |
| 7.3. | How does the verification process affect carriers? | 22 |
| 7.4. | How do carriers perform the verification query using the carrier interface? | 22 |
| 7.5. | What responses will be provided to carriers when querying the carrier interfa | ace? |
| | | 22 |
| 7.6. | When should carriers perform the verification query? | 23 |
| 7.7. | Do carriers operating only within the territory of European countries using El | ES |
| or requ | iring ETIAS need to query the carrier interface? | 23 |
| 7.8. | Do carriers operating only outside the territory of the European countries us | ing |
| EES or | requiring ETIAS need to query the carrier interface? | 23 |
| 7.9. | Do operators of cargo ships and cargo aircrafts fall under the same obligation | s to |
| query t | the carrier interface? | 24 |
| 7.10. | Is it possible for carriers to apply for an ETIAS travel authorisation on behalf | of a |
| travelle | er? | 24 |
| 7.11. | Should carriers query the carrier interface for travellers who are transiting | |
| through | n an airport in a European country requiring ETIAS? | 24 |
| 7.12. | How can carriers using self-service check-in, such as online check-in, verify t | :he |
| travelle | ers? | 24 |
| 7.13. | Travel to and from Ireland: should carriers query the carrier interface? | 24 |
| 7.14. | Travel to and from Croatia, Cyprus, Bulgaria and Romania: should carriers qu | ery |
| the car | rier interface? | 24 |
| 8. Ca | arrier Support | 25 |
| 8.1. | Who provides assistance to carriers? | 25 |
| 8.2. | What kind of assistance will carriers receive? | 25 |
| 8.3. | In which language will assistance be provided? | 25 |
| 8.4. | When can carriers request assistance? | 25 |
| 8.5. | How can carriers request assistance? | 25 |
| 8.6. | What is the Carrier Onboarding and Support Tool and when can carriers use i | t? |
| | | 25 |
| 8.7. | Does the ETIAS Central Unit have access to the ETIAS and EES databases and | the |
| rights t | o modify data to support carriers? | 26 |

| 8.8. | Can the ETIAS Central Unit or eu-LISA contact carriers by other means than t | he |
|--------|--|------|
| Carri | er Onboarding and Support Tool? | 26 |
| 9. | Air carriers | 26 |
| 9.1. | Should a carrier that is not a member of International Air Transport Associat | ion |
| (IATA | A) or Airlines for Europe (charter operators) register? | 26 |
| 9.2. | Should privately owned aircraft perform verification queries? | 26 |
| 9.3. | Do air crew members need an ETIAS travel authorisation or a uniform visa? | 26 |
| 9.4. | What is the suggested approach in case of an ad-hoc flight where the registe | red |
| depa | rture control system (DCS) is not installed and the carrier has to use a local DCS | |
| occa | sionally? | 27 |
| 9.5. | How should air carriers proceed when operating an ad-hoc operation if there | is |
| no se | ervice provider or the service provider is not registered? | 27 |
| 9.6. | Are jet operators obliged to query the carrier interface and therefore to | |
| regis | ter? | 27 |
| 9.7. | Should an air ambulance performing flights to the territory of a European | |
| coun | try using EES or requiring ETIAS query the carrier interface? | 27 |
| 10. | Sea carriers | 27 |
| 10.1 | . Which sea carriers need to query the carrier interface? | 27 |
| 10.2 | . Do sea crew need an ETIAS travel authorisation or a visa? | 27 |
| 10.3 | . Do contractors, entertainers, or other staff working on board a ship need an | |
| ETIA | S travel authorisation or a visa? | 28 |
| 10.4 | . Do sea carriers need to query the carrier interface for crew members and st | aff |
| work | ring on board? | 28 |
| 10.5 | . Does a sea carrier need to query the carrier interface for travellers who hav | е |
| alrea | dy been queried upon arrival into a European country using EES or requiring ET | AS, |
| if the | e sea carrier does not intend to visit ports outside the territory of European | |
| coun | tries using EES or requiring ETIAS? | 28 |
| 10.6 | . When should sea carriers query the carrier interface? | 29 |
| 10.7 | . Does a cruise ship operator need to query the carrier interface every time t | ne . |
| ship | exits and re-enters the territory of a European country using EES or requiring E | TIAS |
| durir | ng the same trip? | 29 |
| 10.8 | . Are river carriers obliged to query the carrier interface? | 29 |
| 11. | Land carriers | 29 |
| 11.1 | . Which land carriers need to register? | 29 |

| 11.2. | When should an international carrier transporting groups overland by coach | |
|----------|---|----|
| conduc | t verification queries on ETIAS? | 29 |
| 11.3. | In case of an international operator with subsidiaries in the European countries | es |
| using El | ES or requiring ETIAS, which entity should register? | 29 |
| 11.4. | Are land taxi companies considered to be carriers and if so, are they obliged t | O |
| query t | he carrier interface? | 30 |
| 11.5. | Would a bus driver be authorised to query the carrier interface? | 30 |
| 11.6. | What is considered to be local border traffic? | 30 |
| 11.7. | Do travellers enjoying the rights of local border traffic need an ETIAS travel | |
| authori | sation or a visa? | 30 |
| 11.8. | In which cases should travellers holding a local border traffic permit apply for | an |
| ETIAS ti | ravel authorisation? | 30 |
| 11.9. | Are travel agencies obliged to query the carrier interface? | 30 |
| 12. Tr | ansitional and Grace Periods | 30 |
| 12.1. | What does the EES transitional period mean? | 30 |
| 12.2. | What do the ETIAS transitional and grace periods mean? | 30 |
| 12.3. | When will the ETIAS transitional period commence and how long will it last? | 31 |
| 12.4. | What responses will the carrier interface give to carriers when sending a | |
| verifica | tion query during the EES transitional period? | 31 |
| 12.5. | What responses will the carrier interface give to carriers when sending a | |
| verifica | tion query during the ETIAS transitional period? | 31 |
| 12.6. | When will the ETIAS grace period take place and how long will it last? | 31 |
| 12.7. | What responses will the carrier interface give to carriers when sending a | |
| verifica | tion query during the ETIAS grace period? | 31 |
| 12.8. | Short-stay uniform visa for one or two entries: how will the number of entries | 5 |
| that has | s been used before EES enters into operation be recorded? | 31 |
| 12.9. | Should a traveller in the scope of ETIAS have a valid travel authorisation during | ng |
| the grad | ce period? | 32 |
| 12.10. | What are carriers' obligations during the ETIAS transitional and grace periods | if |
| border | authorities refuse entry to a traveller for reasons other than not having a valid | I |
| ETIAS ti | ravel authorisation? | 32 |
| 13. Tr | avel documents | 32 |
| 13.1. | Should holders of travel documents issued by intergovernmental international | l |
| organis | ations or by other entities recognised as subjects of international law apply for | an |
| ETIAS ti | ravel authorisation? | 32 |

| 14. Vi | isa related issues | 32 |
|----------|---|-----------|
| 14.1. | What type of visas are in the scope of EES? | 32 |
| 14.2. | Is an airport transit visa in the scope of EES? | 32 |
| 15. Ca | arriers' liability | 32 |
| 15.1. | Are carriers liable for transporting travellers without a valid ETIAS travel | |
| authori | sation or a visa? | 32 |
| 15.2. | What are the penalties for not complying with the carriers' obligations set for | th |
| in the E | EES and ETIAS regulations? | 32 |
| 15.3. | Are carriers liable if a traveller has been refused entry to a European country | , |
| applyin | g EES or requiring ETIAS by the border authorities because their ETIAS travel | |
| authori | sation or short stay uniform visa issued for one or two entries was annulled or | |
| revoke | d during the journey? | 33 |
| 16. Co | omplaint mechanism | 33 |
| 16.1. | Can carriers submit complaints against the actions of the ETIAS Central Unit? | 33 |
| 17. Sp | pecial situations | 33 |
| 17.1. | Are carriers obliged to query the carrier interface when border checks take | |
| place b | efore boarding? | 33 |
| 17.2. | Disaster or accident situations: does a crew member or other member of an | |
| emerge | ency or rescue mission need an ETIAS travel authorisation? | 33 |
| 17.3. | In case of a round trip, which includes visits to third countries, shall carriers | |
| transpo | orting groups by coach query the carrier interface? | 33 |
| 17.4. | Travel to and from Greenland and the Faeroe Islands: should carriers query the | ne |
| carrier | interface? | 34 |
| 17.5. | Travel to and from Svalbard: should carriers query the carrier interface? | 34 |
| 17.6. | Travel to and from the overseas territories of France and Netherlands: should | I |
| carrier | s query the carrier interface? | 34 |
| 17.7. | Travel to and from offshore zones (offshore ships, wind parks, oil plants), | |
| located | outside European countries using EES or requiring ETIAS: should carriers quer | гу |
| the car | rier interface? | 34 |
| 17.8. | Should MedEvac flying into the territory of a European country using EES or | |
| requiri | ng ETIAS query the carrier interface? | 34 |
| 17.9. | If a traveller missed their international transit flight and needs to leave the | |
| airport | 's transit area and enter a European country requiring ETIAS to reach their fina | al |
| destina | tion, do they need to apply for an ETIAS travel authorisation? | 35 |

2. General Questions

2.1. What is the Entry and Exit System (EES)?

The Entry and Exit System (EES) registers electronically each entry into or exit from the territory of European countries using EES by travellers who are in the scope of EES, recording the time and place of their entry/exit and calculating the duration of their authorised stay. When the system enters into operation, it will replace the obligation of the border authorities to stamp the travel documents of travellers.

2.2. What is the European Travel Information and Authorisation System (ETIAS)?

ETIAS is a system for granting authorisation for visa-exempt non-EU nationals to travel to 30 European countries requiring ETIAS for a short-term stay. The information provided by travellers in their application form, when requesting an ETIAS travel authorisation, will support European countries in determining whether a given traveller poses a security, illegal immigration, or high epidemic risk.

2.3. What is the applicable legislation for the implementation of EES and ETIAS in relation to the obligation of carriers?

The applicable instruments are:

For EES

Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011, hereinafter referred to as Regulation (EU) 2017/2226.

Commission Implementing Regulation (EU) 2022/1409 of 18 August 2022 concerning the detailed rules on the conditions for the operation of the web service and data protection and security rules applicable to the web service as well as measures for the development and technical implementation of the web service provided for by Regulation (EU) 2017/2226 of the European Parliament and of the Council and repealing Commission Implementing Decision C(2019)1230, hereinafter referred to as Commission Implementing Regulation (EU) 2022/1409.

• For ETIAS

Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226, hereinafter referred to as Regulation (EU) 2018/1240.

<u>Commission Implementing Regulation (EU) 2022/1380</u> of 8 August 2022 laying down the rules and conditions for verification queries by carriers, provisions for data protection and security for the carriers' authentication scheme as well as fall-back procedures in case of technical impossibility, hereinafter referred to as <u>Commission Implementing Regulation (EU) 2022/1380</u>.

The <u>Convention Implementing the Schengen Agreement</u> 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.

· Additional instruments from the Smart Border Package

<u>Regulation (EU) 2016/399</u> of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), hereinafter referred to as the Schengen Border Code.

2.4. Which countries use EES?

The following European countries use EES: 24 EU Member States (Austria, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden) as well as the four Schengen Associated Countries (Iceland, Lichtenstein, Norway, and Switzerland).

Ireland, Cyprus and Croatia are EU Member States that do not use EES, and passports are still stamped manually.

For more information regarding the specific situations and territories, please refer to Section 17 "Special situations".

2.5. Which countries require ETIAS?

The following European countries require ETIAS: 26 EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden) as well as the four Schengen Associated Countries (Iceland, Lichtenstein, Norway, and Switzerland).

Ireland is an EU Member State that does not require ETIAS.

For more information regarding the specific situations and territories, please refer to Section 17 "Special situations".

2.6. What is the definition of a carrier and which carriers are bound by EES and ETIAS?

According to <u>Article 1 of the CISA</u> and <u>Article 2 (15) of the Schengen Borders Code</u>, a 'carrier' is any natural or legal person whose occupation it is to provide passenger transport by air, sea or land.

Air, sea and international carriers transporting groups overland by coach, which provide transport to travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, from a third country to any of the European countries using EES or requiring ETIAS and make a profit from it are bound by the EES and ETIAS regulations.

2.7. Which carriers are not bound by EES and ETIAS?

The following categories of carriers are not bound by EES and ETIAS:

- Carriers transporting travellers within the European countries using EES, except when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from Bulgaria, Croatia, Cyprus and Romania to any of the other European countries using EES or requiring ETIAS;
- Carriers transporting travellers who are required to be in possession of ETIAS travel authorisation, within the European countries requiring ETIAS;
- Carriers transporting travellers only outside European countries using EES or requiring ETIAS;
- Carriers that do not intend to transport travellers into a European country using EES or requiring ETIAS within the next 6 months;
- Carriers transporting travellers by train;
- River carriers transporting travellers.

10/35

2.8. What are the obligations of carriers for the implementation of EES?

Air carriers, sea carriers and international carriers transporting groups overland by coach shall use the web service to access the carrier interface to verify whether travellers who hold a short-stay visa issued for one or two entries have already used the number of entries authorised by their visa (<u>Article 13 (3) of Regulation</u> (EU) 2017/2226).

The verification query shall be introduced, at the earliest, 48 hours prior to the scheduled time of departure. Carriers must ensure that only duly authorised staff have access to the carrier interface (please see 6.3 Who will have access to the carrier interface? for the definition of duly authorised staff). The carriers should put in place, at the very least, physical and logical access control mechanisms to prevent unauthorised access to the infrastructure or the systems used by the carriers, including authentication, logging to ensure access traceability and regular review of the access rights (Article 3 of Commission Implementing Regulation (EU) 2022/1409).

The carrier obligations stipulated in <u>Article 26 of Convention Implementing the Schengen Agreement</u> (CISA) remain unchanged. Querying the carrier interface is an additional obligation.

2.9. What are the obligations of carriers for the implementation of ETIAS?

Air carriers, sea carriers and international carriers transporting groups overland by coach must use the carrier interface to verify whether travellers subject to the travel authorisation requirement are in possession of a valid ETIAS travel authorisation (Article 45(1) of Regulation (EU) 2018/1240).

According to Article 3 of Commission Implementing Regulation (EU) 2022/1380, the verification query should be introduced at the earliest 48 hours prior to the scheduled time of departure. Carriers must ensure that only duly authorised staff have access to the carrier interface (please see 6.3 Who will have access to the carrier interface? for the definition of "duly authorised staff"). The carriers should put in place, at the very least, physical and logical access control mechanisms to prevent unauthorised access to the infrastructure or the systems used by the carriers, including authentication, logging to ensure access traceability and regular review of the access rights.

The carrier obligations stipulated in <u>Article 26 of Convention Implementing the Schengen Agreement (CISA)</u> remain unchanged. Querying the carrier interface is an additional obligation.

2.10. When will EES start its operations?

EES should enter into operation in May 2023.

2.11. When will ETIAS start its operations?

ETIAS should enter into operation in November 2023.

2.12. Does a carrier have access to assistance related to EES and ETIAS?

Yes. Please see 8 Carrier Support

2.13. What are the different roles of carriers and service providers?

Air carriers, sea carriers and international carriers transporting groups overland by coach, coming into the territory of a European country using EES or requiring ETIAS, are responsible for checking the travellers' status according to the EES and ETIAS regulations. Carriers are responsible for establishing an authentication scheme with the carrier interface, following the registration and testing process established by eu-LISA.

Carriers are also responsible for granting access to the carrier interface only to duly authorised staff, meaning natural or legal persons that are employees of or contractually engaged by the carrier or other

legal or natural entity under that carrier's direction or supervision. Please see 6.3 Who will have access to the carrier interface? for the definition of "duly authorised staff".

For carriers requesting a System-to-System (Sys2Sys) connection, the service provider, or an in-house system which is used, needs to be declared during the registration and follow the established guidelines of the authentication scheme.

Service providers are responsible for establishing the connectivity between the system declared by the carrier during the registration and the carrier interface system. Each carrier needs to ensure that the declared service provider is following the Security Convention and the Technical/Security requirements established with eu-LISA, under the Carrier Technical Guidelines.

2.14. Which travellers fall in the scope of EES?

Travellers admitted for a short stay, for no more than 90 days in any 180-day period, to the territory of the European countries using EES. A detailed description can be found in <u>Article 2 of Regulation (EU) 2017/2226</u>. The list of third countries whose nationals are required to be in a possession of a visa to enter a European country using EES can be found in <u>Annex I of the Regulation (EU) 2018/1806</u>.

2.15. Which travellers are out of the scope of EES?

The following categories of travellers are considered out of the scope of EES:

- Travellers who are nationals of the European Union and Schengen Associated Countries;
- Travellers with a long stay visa;
- Travellers with an EU resident permit;
- Travellers who are family members of an EU citizen and who hold a residence card;
- Travellers who are family members of a non-EU national who enjoys the right of free movement equivalent to that of EU citizens under an agreement between the EU and its Member States, on the one hand, and a third country, on the other, and who hold a residence card or residence permit;
- Travellers exercising their right to mobility;
- Travellers who are nationals of Andorra, Monaco, San Marino and holders of a passport issued by the Vatican City State;
- Persons, or categories of persons, exempt from border checks or benefiting from specific rules in relation to border checks as referred to in point (g) of Article 6a (3) of <u>Regulation (EU) 2016/399</u>, which will be in force after EES enters into operation, according to <u>Regulation (EU) 2017/2225</u>;
- Persons, or categories of persons, referred to in points (h), (i), (j) and (k) of Article 6a (3) of Regulation
 (EU) 2016/399, which will be in force after EES enters into operation, according to Regulation (EU)
 2017/2225.

2.16. Which travellers fall in the scope of ETIAS?

ETIAS travel authorisation is required for travellers who meet all the following criteria:

- they are not nationals of the European Union or Schengen Associated Countries;
- they are citizens of a country whose nationals are not required to have a visa to travel to any of the European countries requiring ETIAS; the list of these countries can be found in <u>Annex II of the Regulation</u> (EU) 2018/1806.
- they do not have a residence permit/card/document issued by any of the European countries requiring FTIAS

More information can be found on the ETIAS website.

2.17. Which travellers are out of the scope of ETIAS?

The following categories of travellers are considered out of the scope of ETIAS:

• travellers who are nationals of the European Union or Schengen Associated Countries;

- a national of the visa-required countries who needs a visa to travel to any of the European countries
 requiring ETIAS, UK nationals and their family members who are beneficiaries of the Withdrawal
 Agreement, a national of Andorra, San Marino, Monaco, the Holy See (the Vatican City State) or Ireland,
- a refugee, a stateless person or a person who does not hold the nationality of any country and resides in any of the European countries requiring ETIAS and holds a travel document issued by that country,
- a holder of a residence permit or a residence card issued by any European country requiring ETIAS or Ireland,
- a holder of a uniform visa, a holder of a national long-stay visa, a holder of a local border traffic permit, but only within the context of the bilateral agreement on local border traffic between a European country requiring ETIAS and a third country,
- a holder of a diplomatic or service passport who has been exempted from the visa requirement pursuant to an international agreement concluded by the European Union and a third country; for more information, please refer to Information on national derogations from the visa requirement_en.xlsx,
- a civilian air or sea crew member when on duty, a civilian sea crew member going ashore holding a
 seafarer's identity document, issued in accordance with the International Labour Organisation
 Conventions No 108 of 13 May 1958 or No 185 of 16 June 2003 or the International Maritime Organisation
 Convention on Facilitation of International Maritime Traffic of 9 April 1965, a crew member or other
 member of an emergency or rescue mission in the event of a disaster or an accident, a civilian crew
 member of ships navigating in international inland waters,
- a holder of a travel document issued by intergovernmental international organisations, an intracorporate transferee, a student or a researcher exercising the right to mobility in accordance with <u>Directive 2014/66/EU</u> or <u>Directive (EU) 2016/801</u>.

2.18. What is the validity of an ETIAS travel authorisation?

An ETIAS travel authorisation is valid for three years or until the travel document used for the application expires - whichever comes first.

2.19. Is the ETIAS travel authorisation equivalent to a visa?

The ETIAS travel authorisation is not a visa. The ETIAS travel authorisation is an entry requirement and condition for stay for visa-exempt nationals travelling to any of the European countries requiring ETIAS and it is linked to a traveller's passport. The validity of an ETIAS travel authorisation is three years or until the travel document used in application expires - whichever comes first.

2.20. Is the carrier interface and the Advanced Passenger Information System the same?

No. There are significant differences between the two:

- The Advanced Passenger Information system allows air carriers to collect travellers' biographic data (as
 contained in the travel documents) during check-in, supplement that data with travel route information,
 and transmit it to the border control authorities of the country of destination. For more information,
 please see Council Directive 2004/82/EC.
- The carrier interface allows carriers to send verification queries and check travellers' status with regard to holding a valid uniform short-stay visa for one or two entries or a valid ETIAS travel authorisation, where applicable.

2.21. Will a carrier be informed when a new country joins the European Union or the Schengen area?

Information about new countries joining the European Union or Schengen area will be made available to carriers through the official portals of the European Commission.

No 13/35

2.22. Will the travel documents be stamped after EES enters into operation?

With EES entering into operation, entries and exits will progressively begin to be recorded electronically. This modality will gradually replace the manual stamping of travel documents.

Carriers Registration

3.1. Why does a carrier have to register?

Carriers transporting travellers to the European countries using EES or requiring ETIAS have to check that the travellers are in possession of the travel documents required for entry into the territories of the Member state, as stipulated in Article 26 (1)(b) of CISA. Therefore, carriers have to use the carrier interface. Please see 6.1 What is the carrier interface? In order for carriers to access and use the carrier interface, they must register (Article 10 of Regulation (EU) 2022/1380). Only registered carriers can verify whether travellers have a valid travel authorisation, or a valid uniform short-stay visa issued for one or two entries.

3.2. Do all carriers need to register?

No. Read more here: 2.6 What is the definition of a carrier and which carriers are bound by EES and ETIAS?

3.3. Which carrier does not have to register for EES or ETIAS?

Carriers that do not fall into the scope of EES and ETIAS do not need to register. Read more here: 2.6. What is the definition of a carrier and which carriers are bound by EES and ETIAS?

3.4. Do train carriers to register?

No. Train carriers are not bound by the definition of 'carrier', as per article 1 of the CISA. Train carriers are excluded from the obligation to query the carrier interface and therefore no registration is required. Read more here: 2.6 What is the definition of a carrier and which carriers are bound by EES and ETIAS?

3.5. Is there a deadline for carriers to register??

No. New carriers will be able to register even after EES and ETIAS enter into operation. However, due to the obligations stipulated in the **EES Regulation**, carriers transporting or intending to transport travellers into the European countries using EES or requiring ETIAS after EES enters into operation are advised to register as soon as possible. The time needed for completing the registration process may vary depending on how long each carrier will need to perform the mandatory actions to start querying the carrier interface. For more information, please see 2.6 What is the definition of a carrier and which carriers are bound by EES and ETIAS? and 2.8 What are the obligations of carriers for the implementation of EES?

3.6. How can a carrier register?

eu-LISA is responsible for the registration process. The carrier registration and related relevant information is available on the eu-LISA website: https://bit.ly/eu-LISA-Carriers

3.7. What is the registration process?

According to Regulation (EU) 2022/1380 and Regulation (EU) 2022/1409, carriers have the legal obligation to query EES and ETIAS to confirm the status of travellers, and in order to have access to those systems they need to register. The registration process differs depending on the type of the connection. Read more about the connection types here: 6.1 What is the carrier interface?

For the System-to-System connection (Application Programming Interface) The carrier will need to fill in the relevant documentation in order to register. This documentation consists of the F01 and F02 forms for the registration of the carrier's legal entities and single point of

contact (Carrier SPOC), as well as the carrier's service provider contacts. Once those forms are sent to eu-LISA, via the dedicated email address, eu-LISA will share with the carrier the Non-Disclosure Agreement and a welcome pack that will contain the F03, F04, F05 and F06 forms to be filled in and to conclude the first phase of the registration. For more information on the carrier registration process and documentation, please visit eu-LISA's website.

After filling in the relevant documentation, the carrier will go through the two pre-compliance and compliance phases. During the pre-compliance phase, the carrier can perform testing by using the carrier interface simulator and completing the pre-defined test cases. The pre-compliance phase is not mandatory but strongly recommended. During the mandatory compliance phase, the carrier will run a set of scenarios before being able to query the carrier interface.

• Compliance tests will not be required for mobile app and web browser connection. The carrier should provide training to the duly authorised staff (Please see 6.3 Who will have access to the carrier interface? for the definition of duly authorised staff) based on guidelines and the training environment that will be provided by eu-LISA. After the completion of the training, the carrier should submit a declaration of readiness and then will be able to query the carrier interface.

3.8. What documents does a carrier need to fill in during the registration process?

The carrier will need to fill in and submit the following forms:

Form F01 "Carrier Registration form"

The scope of this form is to collect all the relevant information and details for the registration of the carrier.

• Form F02 "Carrier Contact Registration form"

This form should be used if any contact details need to be modified, added or deleted by the carrier.

Form F03 "Registration form for Carrier System and Service Provider contacts" (included in the Welcome

This form is used when a carrier selects System-to-System connection in order to provide the data of the carrier service provider entity and the system they use to connect to the carrier interface.

• Form F04 "Form for Request to be connected" (included in the Welcome Pack):

This form is only shared after registration with system providers or carriers using an in-house system and who have declared their intention to use the System-to-System connection.

- Form F05 "Form to report Test Incident" (included in the Welcome Pack)
- Form F06 "Form to Ask Question" (included in the Welcome Pack)
- Form F07 "NDA Form" (included in the Welcome Pack) Please see: 3.122 What is the security convention?

3.9. What is the mandatory documentation and information the carrier should provide during registration?

The Carriers need to provide the following information to register:

- the legal name of the carrier,
- the contact point details of the carrier,
- the carrier e-mail, telephone number, postal address,
- the contact details of the legal representative and back-up points of contact ("Single Point of Contact" (names, telephone numbers, email and postal addresses),
- functional e-mail or other means of communication for technical support,
- confirmation that they operate and transport passengers into the territory of any of the European countries using EES or requiring ETIAS or intend to do so within the next six months,

Reg. No

- their instruments of constitution (including statutes) (read more 3.188 What are the instruments of constitution and extract of company registration?),
- an extract of official company registration (read more 3.188 What are the instruments of constitution and extract of company registration?); an electronic copy of an authorisation to operate in one or more Member States, such as an Air Operator Certificate, may substitute for the official company registration,
- the country of registration (or, if the carrier is registered in a third country, the EU Member State in which the carrier operates or intends to operate within the next year),
- the carrier's choice for access to the carrier interface ('data exchange channels')
 Read more 6.2 How can carriers access the carrier interface?

3.10. Who is authorized to submit the 'Carrier Registration Form' to register a carrier?

The legal representative or a Single Point of Contact (SPoC) of the carrier should submit the <u>Registration</u> form.

3.11. What is the role of the Single Point of Contact (SPoC)?

The main responsibilities of the SPoC are as follows:

- to manage all the administrative tasks for the registration or deregistration of the carrier,
- to administrate user access and role allocation under the security convention,
- to be main Point of Contact for the technical impossibility.

3.12. What is the security convention?

The security convention is a document (<u>F07 form</u>), developed by eu-LISA, establishing the security rules for the carrier to access the carrier interface under the provisions of <u>Commission Implementing Regulations</u> 2022/1409 and 2022/1380. This access is enabled so that carriers can execute the tasks defined in the <u>EES</u> Regulation 2017/2226 and in the <u>ETIAS</u> Regulation 2018/1240.

The security convention should be signed by each carrier contact (SPoC, back-up SPoC and legal representative) provided during the registration in the form F01.

3.13. How can a carrier connect to the EES and ETIAS systems?

The carrier can choose a dedicated network connection and/or an internet connection.

3.14. How can a carrier access the EES and ETIAS systems?

Please check: 6.2 How can carriers access the carrier interface?

3.15. Does a carrier need to register separately for each of the different types of access they might choose (System-to-System, Web Portal, or Mobile App)?

No. Only registering once is necessary. During the registration process, the carrier can choose one or more of the available access options (System-to-System, Web Portal, or Mobile App). The carrier will have the possibility to update those options in the future, if needed.

3.16. Will carriers receive a notification upon submission of the registration request?

After submitting the registration request, carriers will receive a confirmation of successful registration or a request to send additional information for the completion of the registration.

3.17. Will carriers receive a notification/be notified after/upon successful registration?

Yes. Once registered, carriers will receive a notification email indicating the assigned ID number.

Reg. No 16/35

3.18. What are the instruments of constitution and extract of company registration?

The instruments of constitution are the founding acts that regulate the existence of the company and its modifications over time, in accordance with the applicable law of the place of the registration. They may include information such as:

- the type and name of the company;
- the objects of the company;
- · capital amount;
- the registered office;
- the nominal value of the shares subscribed, etc.

In some countries, such as the United States, the instruments of constitution are also referred to as the "corporate charter", "articles of association", or "certificate of incorporation".

The extract of the company registration is a document usually issued officially by business registers. Such document contains some basic company information, such as company name, address, company registration number, whether the company is currently active, etc.

3.19. How can a carrier submit the "Carrier Registration Form"?

The carrier's Single Point of Contact or legal representative can submit the <u>"Carrier Registration Form"</u> to the dedicated e-mail address: carriers_onboarding@eulisa.europa.eu.

3.20. How can carriers add new contact details or modify/delete existing ones?

The Carrier Single Point of Contact can submit the <u>"Contact Details Form"</u> with the updated information to the dedicated e-mail address: carriers_onboarding@eulisa.europa.eu.

3.21. Where can carriers download the "Contact Details Form"?

Carriers can download the "Contact Details Form" from the eu-LISA website.

3.22. Do carriers have immediate access to the EES and ETIAS systems upon successful registration?

Once the carrier submits the registration form to eu-LISA, they will have access to the Carrier Onboarding and Support Tool and will be able to request assistance related to the registration process. Please see question 8.55 How can carriers request assistance? Until EES enters into operation, carriers can request assistance via the carrier onboarding email carriers_onboarding@eulisa.europa.eu.

After necessary tests have been performed and the carrier has been certified, they will have a full access, including being able to submit queries in the carrier interface.

3.23. How can carriers contact eu-LISA during the registration process?

Carriers can contact eu-LISA via the carrier onboarding email carriers_onboarding@eulisa.europa.eu during the onboarding process, after having successfully submitted all registration forms and when in the process of testing the system. After EES enters into operation, carriers should use the Carrier Onboarding and Support Tool for the onboarding process.

3.24. Can carriers make a provisional registration, providing all necessary data but without complying with the minimum-security requirements at this provisional stage?

No. Carriers need to comply with the minimum-security requirements and successfully complete the registration process to have access and query the carrier interface. Please also see 153.98 What is the mandatory documentation and information the carrier should provide during registration?

3.25. Do carriers requesting web portal or mobile application connection to the carrier interface need to declare a service provider?

All carriers, regardless of the connection method to the carrier interface, may use a service provider to verify the travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation on their behalf.

When a carrier requests Web portal or/and Mobile application connection, eu-LISA will:

- provide the carrier's SPOC with temporary credentials for each carrier authorised user account for the test and production environments,
- send, to the carrier's SPOC and backup SPOC email accounts, a separate email for each created user account; this email will contain a username and a temporary password that will allow the carrier's staff to activate accounts and set up new passwords.

The Carrier SPOC shall allocate the set of users to the duly authorised staff, following the security convention.

Based on this process, the carrier SPOC will provide the necessary credentials to the service provider to check the traveller status on their behalf as duly authorised staff. Please see 6.3 Who will have access to the carrier interface? for the definition of duly authorised staff.

3.26. Do carriers, service providers, network providers or ground handlers need to be registered?

Only carriers need to be registered. Carriers should indicate when registering any other party, they collaborate with and use to outsource services. Service providers, network providers or ground handlers cannot register separately from the carrier.

3.27. Can aviation groups register as a group or do the different group members (carriers) need to register separately?

Aviation groups can be registered as a group, provided that those who need to query the carrier interface fall under the definition of duly authorised staff and obligations can be fulfilled. Please see 6.3 Who will have access to the carrier interface? for the definition of duly authorised staff.

3.28. If different carriers use the same service provider, does each carrier need to be registered?

Yes. Each carrier must be registered separately.

3.29. How many service providers can be declared by a carrier?

There is no limit to the number of service providers that can be declared by a carrier. The carrier will need to fill out the F03 form for each of the service providers it uses. In order to connect the service provider system with the carrier interface, eu-LISA will request the carrier to also fill out the F04 form, if the latter has not been filled out by the declared service provider.

3.30. How should an entity that is both a carrier and a service provider register?

The entity must be registered as a carrier. Service providers do not register separately from a carrier; they should be included in the registration form of the carrier.

3.31. When will the service providers receive the necessary technical and functional documentation?

To receive the necessary documentation, the service providers should first be declared in the <u>carrier</u> registration form. Then, the carrier can share the technical documentation with declared service providers

as duly authorised staff. Please see also 6.3 Who will have access to the carrier interface? for the definition of duly authorised staff.

3.32. Can a service provider liaise between eu-LISA and the carrier regarding the technical compliance of the system?

Yes. This is possible when the carrier has declared the service provider during the registration.

3.33. When will carriers be able to start querying the carrier interface?

After EES enters into operation, carriers that have been registered can query the carrier interface. To use the system-to-system access to the carrier interface, the carriers should be also certified for this access option.

3.34. Is it necessary for carriers to register separately for EES and ETIAS in order to conduct a verification query via the carrier interface?

No. The carrier interface is common for both systems. If a carrier is already registered, verification for travellers can be performed with a single query via the carrier interface for either EES or ETIAS, hence, no need to register separately.

4. Carrier Testing

4.1. Why is it necessary to test the connectivity to the carrier interface when a system-to-system connection is requested?

When a system-to-system connection is requested, testing is needed to ensure compliance with the security and technical requirements to access the carrier interface. After the successful completion of tests, carriers will be able to query the carrier interface.

4.2. For which access options is testing necessary?

Only for system-to-system access. For web access or through the mobile app, no testing is necessary.

4.3. How long will the testing period last?

For system-to-system connection the compliance test should be completed within 24 hours. The testing is considered completed once the compliance tests and the pre-defined compliance scenarios are successfully accomplished.

4.4. What is the pre-compliance phase?

The pre-compliance is the phase in which a carrier requesting system-to-system connection can perform free testing using the carrier interface simulator. Pre-compliance tests are performed by the carrier or carrier's service provider to ensure that messages are correctly received and processed by the carrier interface simulator, according to the connectivity configurations. When the pre-compliance testing is finalized, carriers need to send to eu-LISA a declaration of readiness for the compliance phase. Pre-compliance testing is not mandatory but strongly recommended.

4.5. What is the compliance phase?

The compliance is the phase in which a registered carrier needs to run a set of minimum scenarios to get certified and ready to perform verification queries. eu-LISA will provide testing guidelines and a predefined list of use cases. The compliance phase is mandatory for carriers that request a system-to-system connection. Successful carriers will be certified and connected to the carrier interface to perform verification queries.

4.6. Are the pre-compliance and compliance phases mandatory for carriers requesting to use web portal and mobile application connection to the carrier interface?

No. Carriers requesting to use only the web portal and mobile application do not need to perform precompliance and compliance testing.

4.7. Can carriers choose another type of connection to the carrier interface after the registration is completed?

Yes. Registered carriers can add (or remove) new connection types at any time, by submitting a new <u>carrier registration form</u> with the updated information. The carriers need to indicate their carrier ID and state that the reason for the request is to update the registration.

4.8. Do carriers who will not use the system-to-system connection need to register?

Yes. Registration is required. After the completion of the registration, eu-LISA will provide the technical guidelines on how to connect to the carrier interface via web portal and mobile application. Please see 3.7 What is the registration process?

4.9. If a carrier uses a service provider, who should perform the tests with eu-LISA?

It is entirely up to the carrier to decide which tests will be performed by them and which will be delegated, to be performed by a service provider.

4.10. If a carrier is using several service providers, do all of them need to go through the compliance tests?

Service providers that have already undergone the certification process do not need any additional compliance tests. Compliance tests are required only for service providers that have not yet been certified and tested.

4.11. If a service provider is declared by more than one carrier, is it necessary for the service provider to undergo the certification process for each carrier?

A service provider that is already certified and tested does not need to repeat the compliance tests for any subsequent carrier using its services. Nevertheless, this service provider has to be declared by each carrier using their services.

5. Carrier deregistration and disconnection

5.1. When can a carrier deregister, be deregistered, or be disconnected?

According to Article 11 (1), (2), (3), (5) of Commission Implementing Regulation (EU) 2022/1380 carriers will be deregistered in the following cases:

- when the carrier informs eu-LISA that no longer operates or transports travellers into the territory of the European countries using EES or requiring ETIAS;
- when the logs show that the carrier has not used the carrier interface for a period of one year;
- when the carrier no longer fulfils the conditions or has breached the provisions of the EES and ETIAS
 Regulations, the security requirements, or the technical guidelines, including in the case of abuse of
 the carrier interface according to the standard operating procedures.

or disconnected:

• In the case of urgent IT security concerns, including when the carrier is not complying with the security requirements or with the technical guidelines, eu-LISA may immediately disconnect the carrier.

A disconnected carrier will still have access to the Carrier Onboarding and Support Tool.

Deregistered carriers may submit a new request for registration. Please see 5.3 Can deregistered carriers become registered again?

5.2. Will a carrier be notified before being deregistered?

Yes. One month before deregistration, eu-LISA will inform the carrier of its intention to deregister the carrier along with the reason for the deregistration and will give the carrier the opportunity to provide written comments before the deregistration.

5.3. Can deregistered carriers become registered again?

Yes. Deregistered carriers may submit a new request for registration and go through the entire registration process in order to regain the connection to the carrier interface.

5.4. Can deregistered carriers query the carrier interface?

No. If a carrier is deregistered, access to the carrier interface will be deactivated - this means the carrier will not have the ability to query the carrier interface. If they proceed with boarding of travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, without querying the carrier interface, they may be subject to penalties and will be responsible for returning the travellers, as per article 26 CISA.

6. Carrier Interface

6.1. What is the carrier interface?

The carrier interface is a tool that allows carriers to fulfil their obligations and send verification queries to check whether a given traveller holding a uniform short-stay visa for one or two entries has already used the number of entries, or whether they hold valid ETIAS travel authorisation, where applicable.

6.2. How can carriers access the carrier interface?

Carriers can access the carrier interface through:

- 1. a system-to-system interface;
- 2. a web interface, which is available on the carrier web portal;
- 3. an application for mobile devices.

6.3. Who will have access to the carrier interface?

Only the duly authorised staff of registered carriers will have access to the carrier interface.

Duly authorised staff means natural persons who are employees of, or contractually engaged by, the carrier, or another legal or natural person under that carrier's direction or supervision, assigned with the tasks of verifying travellers, in accordance with Article 13(3) of Regulation (EU) 2017/2226, and with Article 45 (1) of Regulation (EU) 2018/1240.

6.4. What kind of information can be checked via the carrier interface?

The carrier interface allows carriers to check if a traveller's a uniform short-stay visa issued for one or two entries is still valid, if the number of entries authorised by the visa has not been reached, or if a traveller has a valid ETIAS travel authorisation.

21/35

6.5. What type of logs will be kept by eu-LISA and for how long?

eu-LISA will keep logs of all data processing operations carried out using the carrier interface. The logs will be kept for two years.

6.6. Who is responsible for the security of the carrier interface?

eu-LISA is responsible for the information security management of the carrier interface. Additionally, the carriers are obliged to maintain minimum security requirements to protect their IT environments and devices connected to the carrier interface from unauthorised staff.

7. Verification process

7.1. What is a verification query?

Carriers are obliged to check if travellers have a valid uniform short-stay visa issued for one or two entries or an ETIAS travel authorisation. In order to perform this check, carriers will need to perform a verification query to check the travellers' data through the carrier interface. Please see 7.4 How do carriers perform the verification query using the carrier interface?

7.2. How does the verification process affect travellers?

The verification process does not add any new obligations for travellers. Instead of having visa-required travellers' single and double entry visas checked through visual inspection by the carrier, the carrier interface will be used.

Travellers will be able to check their visa status, their remaining authorised stay and the status of their ETIAS travel authorisation through the ETIAS and EES website: https://travel-europe.europa.eu/index_en.

7.3. How does the verification process affect carriers?

The verification process for short stay uniform visas issued for one or two entries will no longer be done through visual inspection. Instead, the verification will be conducted automatically through the carrier interface, thus the process will be quicker. Once ETIAS enters into operation, the verification of ETIAS travel authorisations will also be conducted through the carrier interface.

7.4. How do carriers perform the verification query using the carrier interface?

Carriers can perform verification queries by scanning the MRZ of the travel documents (recommended) or, as an alternative, by providing manually the following mandatory data to the carrier interface:

- surname (family name); first name or names (given names)
- date of birth; sex; nationality;
- the type and number of the travel document and the three-letter code of the issuing country of the travel document;
- the date of expiry of the validity of the travel document;

Carriers will also insert the scheduled date of arrival at the border of a European country using EES or requiring ETIAS.

7.5. What responses will be provided to carriers when querying the carrier interface?

The carrier interface will provide the following responses:

• "OK", "NOK EES", "NOK ETIAS", "NA" or an error message (when the information is incomplete or wrongly inserted).

The meaning of the responses is as follows:

- "OK": the traveller has a valid ETIAS travel authorisation or a valid short stay visa (issued for one or two entries).
- "NOK ETIAS" or "NOK EES": the traveller does not have a valid ETIAS travel authorisation or, a valid uniform short-stay visa issued for one or two entries, or the traveller has already used the number of entries authorised by their short-stay visa, or the visa has expired, been revoked, or been annulled.
- "NA" when the carrier indicates that the traveller is exempt from the scope of EES or ETIAS regulations.

The replies refer only to the validity of the issued uniform visa for one or two entries or the ETIAS travel authorisation, not whether the traveller should be boarded or not. It is the carrier's responsibility to decide whether to allow the traveller to board.

7.6. When should carriers perform the verification query?

The verification query must be done prior to boarding, at the earliest 48 hours before the scheduled time of departure.

Carriers are obliged to query the carrier interface when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, in the following cases:

- When transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from a third country to European countries using EES, except when transporting them to Bulgaria and to Romania. Please see 2.4 Which countries use EES?
- When transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from Bulgaria or from Romania to any other European country using EES, except when transporting those travellers from Bulgaria to Romania and vice versa.
- When transporting travellers who are required to be in possession of an ETIAS travel authorisation from a third country or Ireland to European countries requiring ETIAS. Please see 2.5 Which countries require ETIAS?

The carrier may perform a single verification query through the carrier interface for both categories of travellers, who are visa required and hold a uniform short-stay visa for one or two entries or who are required to be in possession of an ETIAS travel authorisation.

7.7. Do carriers operating only within the territory of European countries using EES or requiring ETIAS need to query the carrier interface?

Carriers operating only within the territory of European countries using EES or requiring ETIAS do not need to query the carrier interface, except when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from Bulgaria and from Romania to any other European countries using EES, except when transporting those travellers from Bulgaria to Romania and vice versa. Please see 2.4 Which countries use EES? and 2.5 Which countries require ETIAS?

7.8. Do carriers operating only outside the territory of the European countries using EES or requiring ETIAS need to query the carrier interface?

No. Carriers operating and transporting travellers only outside the territory of the European countries using EES or requiring ETIAS are excluded from the obligation to query the carrier interface and consequently to register.

23/35

7.9. Do operators of cargo ships and cargo aircrafts fall under the same obligations to query the carrier interface?

Yes, the operators of cargo ships and cargo aircrafts, transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, into the territory of European countries using EES or requiring ETIAS, and make a profit from it, should query the carrier interface.

7.10. Is it possible for carriers to apply for an ETIAS travel authorisation on behalf of a traveller?

Carriers cannot apply for an ETIAS travel authorisation on behalf of a traveller unless it is acting as a commercial intermediary. It is only possible for another person or a commercial intermediary to apply on behalf of a traveller. In order to do so, both parties need to sign a declaration of representation. For more information, please visit the ETIAS website - Applying on behalf of others (europa.eu).

7.11. Should carriers query the carrier interface for travellers who are transiting through an airport in a European country requiring ETIAS?

If travellers are transiting through an airport, carriers are not obliged to verify then, as per <u>Article 45 (2)</u> of Regulation (EU) 2018/1240.

Generally, travellers do not need an ETIAS travel authorisation if they only remain in the international airport transit area. If a traveller wishes to enter the territory of any of the European countries requiring ETIAS, they must have a valid ETIAS travel authorisation. Please see 2.5 Which countries require ETIAS?

7.12. How can carriers using self-service check-in, such as online check-in, verify the travellers?

Carriers should use the carrier interface to verify the travellers prior to boarding, regardless of whether the carrier is using only a self-service check-in or staff checking at the counter.

7.13. Travel to and from Ireland: should carriers query the carrier interface?

When transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, to Ireland, there is no need to query the carrier interface. However, carriers must query the carrier interface when transporting travellers from Ireland to any European country using EES or requiring ETIAS. Please see 2.4 Which countries use EES? and 2.5 Which countries require ETIAS?

7.14. Travel to and from Croatia, Cyprus, Bulgaria and Romania: should carriers query the carrier interface?

Carriers should query the carrier interface when transporting travellers who are required to be in possession of an ETIAS travel authorisation, from a third country to Croatia, Cyprus, Bulgaria or Romania.

Carriers do not need to query the carrier interface when transporting travellers who are required to be in possession of an ETIAS travel authorisation, from any European country requiring ETIAS to Croatia, Cyprus, Bulgaria or Romania.

Carriers should query the carrier interface when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from Croatia or from Cyprus to any other European country using EES, except to Bulgaria or to Romania.

Carriers should query the carrier interface when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from Bulgaria or from Romania to any other European country using EES, except when transporting those travellers from Bulgaria to Romania and vice versa.

Carriers do not need to query the carrier interface when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, from a third country to Croatia, Cyprus, Bulgaria or Romania.

For more information, please see also 2.4 Which countries use EES?, 2.5 Which countries require ETIAS?, 7.6 When should carriers perform the verification query? and 7.7 Do carriers operating only within the territory of European countries using EES or requiring ETIAS need to query the carrier interface?

8. Carrier Support

8.1. Who provides assistance to carriers?

The ETIAS Central Unit will provide operational and technical assistance in English 24/7 and it will be the single point of contact for all assistance requests. Operational assistance will be provided directly by ETIAS Central Unit whilst the technical assistance requests will be forwarded by the ETIAS Central Unit to eu-LISA for resolution. Carriers can request assistance via the Carrier Onboarding and Support Tool, please see 8.5 How can carriers request assistance?

8.2. What kind of assistance will carriers receive?

Carriers will have access to this list of FAQs, available on the carrier web portal and translated into all the official EU languages.

Additionally, assistance will be provided on operational and technical assistance requests, submitted via the Carrier Onboarding and Support Tool, and in exceptional cases via an emergency phone line when the Carrier Onboarding and Support Tool is not available. The ETIAS Central Unit will provide assistance to a carrier by redirecting them to the relevant FAQ or by forwarding the request to eu-LISA in case of a technical issue. The assistance will be available to all registered carriers in English 24/7.

During the registration process, carriers can request assistance by contacting eu-LISA: carriers_onboarding@eulisa.europa.eu.

8.3. In which language will assistance be provided?

Assistance will be provided in English.

8.4. When can carriers request assistance?

Only registered carriers can request assistance. They can do so when facing operational or technical issues.

8.5. How can carriers request assistance?

Registered carriers can request assistance via the Carrier Onboarding and Support Tool, available on the carrier web portal, or in exceptional cases via an emergency phone line when the Carrier Onboarding and Support Tool is not available.

8.6. What is the Carrier Onboarding and Support Tool and when can carriers use it?

The Carrier Onboarding and Support Tool is a tool with ticketing functionalities which is the main communication channel when it comes to assistance requests. It can be accessed through the carrier web portal. Registered carriers can indicate in the tool the issue they are facing, either operational or technical, and submit it for resolution.

8.7. Does the ETIAS Central Unit have access to the ETIAS and EES databases and the rights to modify data to support carriers?

The legal provisions do not provide for access to the travellers' personal data for the ETIAS Central Unit. For more information related to the carriers' support, please see 8.2 What kind of assistance will carriers receive?

8.8. Can the ETIAS Central Unit or eu-LISA contact carriers by other means than the Carrier Onboarding and Support Tool?

Yes. In order to best support carriers, eu-LISA or the ETIAS Central Unit may contact carriers that have requested assistance by any means necessary, including by phone.

9. Air carriers

9.1. Should a carrier that is not a member of International Air Transport Association (IATA) or Airlines for Europe (charter operators) register?

Yes. All carriers operating and transporting travellers from a third county to the territory of a European country using EES or requiring ETIAS must register.

Please see 2.6. What is the definition of a carrier and which carriers are bound by EES and ETIAS?

9.2. Should privately owned aircraft perform verification queries?

Any natural or legal person whose occupation is to provide passenger transport by air, sea or land (<u>Article 1 of the CISA</u>) is considered a carrier and is obliged to query the carrier interface and verify the travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation. However, natural or legal persons that use private owned aircrafts and do not transport passengers as their profession are not considered carriers and do not need to query the carrier interface. For more information, please see 7.66 When should carriers perform the verification query?

Rules for <u>"Checks on persons on private flights"</u>, according to Annex VI of the Schengen Borders Code, are also applicable.

9.3. Do air crew members need an ETIAS travel authorisation or a uniform visa?

Air crew members do not need an ETIAS travel authorisation or a visa when performing their duties. For more information, please refer to 2.15 Which travellers are out of the scope of EES? and 2.17 Which travellers are out of the scope of ETIAS?

European countries using EES or requiring ETIAS impose different requirements and exemptions for air crew members when they disembark or travel to embark the aircraft.

The exact scope of the exceptions under this provision is determined by the Member States. Member States have communicated the measures they have taken pursuant to Article 6 to the Commission, published at https://ec.europa.eu/home-affairs/pages/document/information-national-derogations-visa-

<u>requirement_en</u>. The exact scope of 2(2)(i) of the ETIAS Regulation is therefore determined by the content of the Member States' measures referred to above. The same exemptions currently applying for visas (for visa-required countries) are to apply for ETIAS (for visa-exempt countries).

https://ec.europa.eu/home-affairs/pages/document/information-national-derogations-visa-requirement_en includes an Excel file, which contains a sheet "Exemptions Article 6(1)". Starting from row

348, visa exemptions for other categories mentioned in Article 6(1) can be found, indicating the way each Member State allows the exemptions.

9.4. What is the suggested approach in case of an ad-hoc flight where the registered departure control system (DCS) is not installed and the carrier has to use a local DCS occasionally?

The carrier needs to have included the local DCS in its registration form if the carrier wishes to query the carrier interface by using the system-to-system connection.

Otherwise, the carrier can decide to use either the web portal or the mobile application solution.

9.5. How should air carriers proceed when operating an ad-hoc operation if there is no service provider or the service provider is not registered?

The carrier can use either the web portal or the mobile application solution.

9.6. Are jet operators obliged to query the carrier interface and therefore to register?

Yes. All air carriers, including jet operators, transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, from a third country to a European country using EES or requiring ETIAS are obliged to query the carrier interface and therefore to register. Please see 2.6 What is the definition of a carrier and which carriers are bound by EES and ETIAS?

9.7. Should an air ambulance performing flights to the territory of a European country using EES or requiring ETIAS query the carrier interface?

An air ambulance performing flights from a third country to the territory of a European country using EES or requiring ETIAS, should query the carrier interface for the travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, unless exceptions are provided for in bilateral agreements or national law (Annex VII, point 7 of the Schengen Borders Code).

10. Sea carriers

10.1. Which sea carriers need to query the carrier interface?

Sea carriers that transport travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, into the territory of the European countries using EES or requiring ETIAS (e.g. ferry companies, cruise ships) need to query the carrier interface.

Other types of legal or natural person that operate cargo ships that transport travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, also need to query the carrier interface.

Private yachts, pleasure boats and cargo ships with no travellers are out of scope and should not query the carrier interface. Nevertheless, rules for "sea borders", according to Annex VI of the Schengen Borders Code are still applicable.

10.2. Do sea crew need an ETIAS travel authorisation or a visa?

Sea crew members may be exempt from having an ETIAS travel authorisation or a visa. However, each European country using EES or requiring ETIAS has a different interpretation of the terms "sea crew", "going ashore" and "in the performance of their duty".

The exact scope of the exceptions, determined by the European countries using EES or requiring ETIAS and the measures they have taken, pursuant to Article 6 of the Regulation (EU) 2018/1806, have been

communicated to the European Commission and were published at https://ec.europa.eu/home-affairs/pages/document/information-national-derogations-visa-requirement_en.

The link includes an Excel file, which contains a sheet "Exemptions Article 6(1)"; starting from row 348, visa exemptions for other categories mentioned in Article 6(1) can be found, indicating the way each European country using EES or requiring ETIAS allows the exemptions. Thus, the same exemptions currently applying for visas (for visa required countries) are to apply for ETIAS (for visa exempt countries).

10.3. Do contractors, entertainers, or other staff working on board a ship need an ETIAS travel authorisation or a visa?

All staff working on board a ship may need an ETIAS travel authorisation or a visa, if they do not fall under the exemptions as per the ETIAS or EES regulations, or they do not hold a seafarer's identity document, issued in accordance with the <u>International Labour Organisation Conventions No 108 of 13 May 1958</u> or <u>No 185 of 16 June 2003</u> or the <u>International Maritime Organisation Convention on Facilitation of International Maritime Traffic of 9 April 1965.</u>

However, European countries using EES or requiring ETIAS impose different requirements and exemptions for sea crew members.

The exact scope of the exceptions, under this provision, is determined by the European countries using EES or requiring ETIAS. These countries have communicated the measures they have taken pursuant to Regulation (EU) 2018/1806, to Article 6, to the European Commission and these were published at https://ec.europa.eu/home-affairs/pages/document/information-national-derogations-visa-requirement_en. The exact scope of Article 2(2)(i) of the ETIAS Regulation is therefore determined by the content of the notified European countries using EES or requiring ETIAS measures referred to above. Thus, the same exemptions currently applying for visas (for visa required countries) are to apply for ETIAS (for

10.4. Do sea carriers need to query the carrier interface for crew members and staff working on board?

Carriers do not need to query the carrier interface if the crew members are exempted under the conditions specified by each European country using EES or requiring ETIAS: https://ec.europa.eu/home-affairs/pages/document/information-national-derogations-visa-requirement_en.

According to the <u>Practical Handbook for Border Guards</u>, crew members include all persons actually employed for duties on board during a voyage in the working or service of a ship and included in the crew list.

Therefore, carriers need to query the carrier interface for staff members who do not fall under the definition of crew member and are required to be in a possession of a short stay uniform visa issued for one or two entries or ETIAS travel authorisation.

10.5. Does a sea carrier need to query the carrier interface for travellers who have already been queried upon arrival into a European country using EES or requiring ETIAS, if the sea carrier does not intend to visit ports outside the territory of European countries using EES or requiring ETIAS?

The sea carrier does not need to query the carrier interface when:

- transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries, within the territory of European countries using EES, except from Bulgaria or from Romania to any other European country using EES;
- transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries from Bulgaria to Romania and vice versa;
- transporting travellers who are required to be in possession of an ETIAS travel authorisation within the territory of European countries requiring ETIAS.

visa exempt countries).

10.6. When should sea carriers query the carrier interface?

Sea carriers are obliged to query the carrier interface at the earliest 48 hours prior to the scheduled time of departure when transporting:

- travellers who are visa required and hold a uniform short-stay visa for one or two entries, from a port outside the territory of a European country using EES to a port of a European country using EES, except to Bulgaria or to Romania;
- travellers who are visa required and hold a uniform short-stay visa for one or two entries, from Bulgaria or from Romania to any other European country using EES, except when transporting those travellers from Bulgaria to Romania and vice versa;
- travellers who are required to be in possession of an ETIAS travel authorisation, from a port outside the territory of a European country requiring ETIAS to a port of a European country requiring ETIAS;

10.7. Does a cruise ship operator need to query the carrier interface every time the ship exits and re-enters the territory of a European country using EES or requiring ETIAS during the same trip?

Yes. All carriers are obliged to query the carrier interface at the earliest 48 hours prior to the scheduled time of departure as described in 10.6 When should sea carriers query the carrier interface? and 7.6 When should carriers perform the verification query?

10.8. Are river carriers obliged to query the carrier interface?

No. River carriers are excluded from the obligation to query the carrier interface, hence no registration is required. Please see 2.6 What is the definition of a carrier and which carriers are bound by EES and ETIAS?

11. Land carriers

11.1. Which land carriers need to register?

Only international carriers transporting groups of travellers overland by coach from a third country into the territory of a European country using EES or requiring ETIAS need to register. Please also see 2.4 Which countries use EES?

11.2. When should an international carrier transporting groups overland by coach conduct verification queries on ETIAS?

After the entry into operation of EES, querying the carrier interface will be mandatory for all carriers transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries. Please see also 2.8 What are the obligations of carriers for the implementation of EES? and 7.6 When should carriers perform the verification query?

For the first three years following the entry into operation of ETIAS, querying the carrier interface for verifying travellers who are required to be in possession of an ETIAS travel authorisation will be optional for international carriers transporting groups overland by coach. During this period, land carriers will not be liable for boarding travellers without a valid ETIAS travel authorisation.

11.3. In case of an international operator with subsidiaries in the European countries using EES or requiring ETIAS, which entity should register?

The obligations of the carriers are described in 3.1 Why does a carrier have to register? If the main entity (the headquarters) does not have the capacity to manage the technical implementation, the operational processes, the compliancy with the security convention, and to ensure connection of subsidiaries to the carrier interface, separate registration of each subsidiary is recommended to fulfil the carrier's obligation. Please note, that the legal definition of "subsidiaries" differs based on the national law of the European countries using EES or requiring ETIAS.

11.4. Are land taxi companies considered to be carriers and if so, are they obliged to query the carrier interface?

No. Taxi companies are excluded from the obligation to query the carrier interface and no registration is required. Please see 2.6 What is the definition of a carrier and which carriers are bound by EES and ETIAS?

11.5. Would a bus driver be authorised to query the carrier interface?

If a bus driver needs to query the carrier interface, the carrier SPOC, responsible for maintaining and controlling the access rights to the web portal and the mobile application, needs to allocate the authorisation.

11.6. What is considered to be local border traffic?

Local border traffic refers to the regular crossing of the external border of the European Union by nationals of neighbouring non-European Union countries, residing in the border areas.

11.7. Do travellers enjoying the rights of local border traffic need an ETIAS travel authorisation or a visa?

Travellers enjoying the rights of local border traffic do not need an ETIAS travel authorisation or a visa when they respect the rules on local border traffic and existing bilateral agreements. Under local border traffic, border residents may regularly cross the common border and stay in the border area without a visa or an ETIAS travel authorisation. For more information, please see 2.15 Which travellers are out of the scope of EES? and 2.16 Which travellers are out of the scope of ETIAS?

11.8. In which cases should travellers holding a local border traffic permit apply for an ETIAS travel authorisation?

Travellers holding a local border traffic permit should apply for an ETIAS travel authorisation whenever their intended journey extends beyond the area/distance provided for in the bilateral agreement.

11.9. Are travel agencies obliged to query the carrier interface?

As a rule, carriers are responsible for performing verification queries. If a travel agency is also registered as a carrier and it transports travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, they should query the carrier interface. For more information, please check 7.66 When should carriers perform the verification query?

12. Transitional and Grace Periods

12.1. What does the EES transitional period mean?

The EES transitional period is a period of 180 days from the date EES enters into operation according to Article 22 of Regulation (EU) 2017/2226. During the transitional period, border authorities will verify the remaining days of authorised stay by checking the stamps in the travel documents manually and verify and record the entry/exit data in EES.

12.2. What do the ETIAS transitional and grace periods mean?

During the transitional period, travellers will be allowed to enter the territory of a European country requiring ETIAS without an ETIAS travel authorisation, provided that they meet the other entry conditions as set forth in Article 6 of the Schengen Borders Code.

Reg. No 30/35

The grace period will follow the transitional period, and travellers will be allowed to enter the territory of the countries requiring ETIAS without an ETIAS travel authorisation, if this is their first entry during that period.

12.3. When will the ETIAS transitional period commence and how long will it last?

The transitional period is a period of six months from the date ETIAS enters into operation. The European Commission may adopt a delegated act to extend that period for a maximum of a further six months, renewable once, as stipulated in <u>Article 83 of Regulation (EU) 2018/1240</u>.

12.4. What responses will the carrier interface give to carriers when sending a verification query during the EES transitional period?

After the entry into operation of EES, all carriers will be obliged to query the carrier interface to verify the travellers who are visa required and hold a uniform short-stay visa for one or two entries. During the EES transitional period responses from the carrier interface will be the same as after this period, since the EES transitional period reflects only on border authorities checks. For more information, please see 12.1 What does the EES transitional period mean?

The response to the verification queries from the carrier interface will be "OK", "NOK EES" or "NA". For more information, please see 7.5 What responses will be provided to carriers when querying the carrier interface?.

12.5. What responses will the carrier interface give to carriers when sending a verification query during the ETIAS transitional period?

During the ETIAS transitional period, the response for travellers who are required to be in possession of an ETIAS travel authorisation will be "OK".

12.6. When will the ETIAS grace period take place and how long will it last?

The grace period will follow the transitional period and will last for six months. The European Commission may adopt a delegated act in accordance with <u>Article 89 of the ETIAS Regulation</u> to extend that period for a maximum of an additional six months.

12.7. What responses will the carrier interface give to carriers when sending a verification query during the ETIAS grace period?

During the ETIAS grace period, if the traveller intends to travel to the European countries requiring ETIAS for the first time after the transitional period, the reply will be "OK".

In all other cases the reply will be:

- "OK" when the traveller has a valid ETIAS travel authorisation.
- "NOK ETIAS" when the traveller does not have a valid ETIAS travel authorisation.
- "NA" when the carrier indicates that the traveller is exempt from the scope of the ETIAS Regulation.

12.8. Short-stay uniform visa for one or two entries: how will the number of entries that has been used before EES enters into operation be recorded?

All border crossings by travellers into the territory of a European country using EES before EES enters into operation should be reflected by manual stamps in their travel document. Once EES enters into operation, border authorities of the country in question should verify the existence of such stamps, check the number of used entries and record them in the EES. If the number of entries of the short stay uniform visa issued for one or two entries, or the authorized days of stay, have been already used, the traveller will be refused entry. Please see also 12.1 What does the EES transitional period mean?

12.9. Should a traveller in the scope of ETIAS have a valid travel authorisation during the grace period?

During the grace period all travellers who are in the scope of ETIAS are required to have a valid ETIAS travel authorisation. Exceptionally, the border authorities may allow travellers without a valid ETIAS travel authorisation to enter the territory of the European countries requiring ETIAS for the first time after the end of the transitional period, provided that they fulfil all the remaining entry conditions. Please see 12.2 What do the ETIAS transitional and grace periods mean?

12.10. What are carriers' obligations during the ETIAS transitional and grace periods if border authorities refuse entry to a traveller for reasons other than not having a valid ETIAS travel authorisation?

When border authorities refuse entry to a traveller for whatever reason, carriers, at the request of the border authorities, are obliged to return the traveller, as per art.26(1) (a) from the CISA.

13. Travel documents

13.1. Should holders of travel documents issued by intergovernmental international organisations or by other entities recognised as subjects of international law apply for an ETIAS travel authorisation?

Travellers who hold a travel document issued by intergovernmental international organisations that have at least one European country requiring ETIAS as a member, or by other entities recognised by this country as subjects of international law, are exempt from the obligation to have an ETIAS travel authorisation. Please see 2.16 Which travellers are out of the scope of ETIAS?

14. Visa related issues

14.1. What type of visas are in the scope of EES?

Currently, only uniform short stay visas for one or two entries are in the scope of EES.

14.2. Is an airport transit visa in the scope of EES?

No. Currently, airport transit visas are not in the scope of EES.

15. Carriers' liability

15.1. Are carriers liable for transporting travellers without a valid ETIAS travel authorisation or a visa?

Yes. Carriers will be subject to penalties when they transport travellers who are in the scope of ETIAS or EES without required valid travel documents as stipulated in Article 45 (5) of the Regulation (EU) 2018/1240 and Article 26 of CISA.

15.2. What are the penalties for not complying with the carriers' obligations set forth in the EES and ETIAS regulations?

The penalties are those deriving from the <u>Convention implementing the Schengen agreement (CISA)</u> and <u>Council Directive 2001/51/EC</u>, imposed by Member States according to the national law transposing this Directive.

15.3. Are carriers liable if a traveller has been refused entry to a European country applying EES or requiring ETIAS by the border authorities because their ETIAS travel authorisation or short stay uniform visa issued for one or two entries was annulled or revoked during the journey?

Carriers are not liable if the verification query was done prior to boarding, not earlier than 48 hours prior the scheduled departure, and the reply was "OK".

However, carriers are always responsible for returning the traveller in the case of a refusal of entry, according to Art.26(1) (a) of the CISA.

16. Complaint mechanism

16.1. Can carriers submit complaints against the actions of the ETIAS Central Unit?

Yes. If a carrier is affected by any of the actions taken by the ETIAS Central Unit and eu-LISA, the carrier can submit a complaint, either by using the <u>complaint form</u>, via email <u>complaints@frontex.europa.eu</u>, or via post. Detailed information regarding the complaint mechanism can be found on Frontex's website.

17. Special situations

17.1. Are carriers obliged to query the carrier interface when border checks take place before boarding?

When border checks to enter the territory of a European country using EES or requiring ETIAS precede boarding, carriers are relieved from the obligation to query the carrier interface, as per <u>EES Implementing</u> Regulation recital and ETIAS Implementing Regulation recital.

An example of such a case is the British port of Dover, where the French police perform border checks on travellers prior to boarding instead of doing so upon arrival in the port of Calais in France.

17.2. Disaster or accident situations: does a crew member or other member of an emergency or rescue mission need an ETIAS travel authorisation?

In the event of a disaster or an accident, a member of an emergency or rescue mission may need an ETIAS travel authorisation or a visa. The arrangements for the entry and exit of the members of rescue services, police or fire brigades acting in emergency situations as well as border guards crossing the border when exercising their professional tasks shall be laid down by national law as per Annex VII, point 7 from Regulation (EU) 2016/399 (Schengen border code).

17.3. In case of a round trip, which includes visits to third countries, shall carriers transporting groups by coach query the carrier interface?

Yes. In case of a round trip, carriers are obliged to query the carrier interface every time they depart from a third country to a European country applying EES or requiring ETIAS, to verify all travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation. Please see 7.6 When should carriers perform the verification query?

If border checks precede the boarding, please see 17.1 Are carriers obliged to query the carrier interface when border checks take place before boarding?

17.4. Travel to and from Greenland and the Faeroe Islands: should carriers query the carrier interface?

Carriers should query the carrier interface when transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, from any third country to Greenland and the Faeroe Islands. According to Article 5 (2) from the Agreement on the Accession of the Kingdom of Denmark to the Convention implementing the Schengen Agreement, Greenland and the Faeroe Islands are considered to be within the area without internal border controls.

For more information, please see 2.4 Which countries use EES?, 2.5 Which countries require ETIAS? and 7.7 Do carriers operating only within the territory of European countries using EES or requiring ETIAS need to query the carrier interface?

17.5. Travel to and from Svalbard: should carriers query the carrier interface?

According to the <u>Article 126</u>, the Agreement on the European Economic Area applies to the territory of the Kingdom of Norway, but not to Svalbard. Therefore, carriers transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, from Svalbard to any of the European countries using EES, except to Bulgaria and to Romania, or requiring ETIAS need to query the carrier interface. There is no need to query the carrier interface when transporting travellers to Svalbard.

For more information, please see 2.4 Which countries use EES?, 2.5 Which countries require ETIAS? and 7.6 When should carriers perform the verification query?

17.6. Travel to and from the overseas territories of France and Netherlands: should carriers query the carrier interface?

According to <u>Article 138 of the CISA</u>, the provision of the agreement applies only to the European territories of France and the Netherlands. Therefore, carriers transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, from overseas territories of France and Netherlands to any of the European countries using EES, except to Bulgaria and to Romania, or requiring ETIAS need to query the carrier interface. There is no need to query the carrier interface when transporting travellers to the above-mentioned overseas territories. For more information, please see Overseas Countries and Territories (europa.eu).

17.7. Travel to and from offshore zones (offshore ships, wind parks, oil plants), located outside European countries using EES or requiring ETIAS: should carriers query the carrier interface?

Carriers transporting travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, from a third country or offshore zones, located outside European countries using EES or requiring ETIAS, to any European country using EES, except to Bulgaria and to Romania, or to European country requiring ETIAS do need to guery the carrier interface.

However, querying the carrier interface is not necessary when transporting travellers from any of the European countries using EES or requiring ETIAS to offshore zones, located outside European countries using EES or requiring ETIAS. For more information, please refer to 7.6 When should carriers perform the verification query?

17.8. Should MedEvac flying into the territory of a European country using EES or requiring ETIAS query the carrier interface?

MedEvac performing regular or ad-hoc flights from a third country to the territory of a European country using EES or requiring ETIAS should query the carrier interface for the travellers who are visa required and hold an uniform short-stay visa for one or two entries or an ETIAS travel authorisation, unless exceptions are provided for in bilateral agreements or national law (Annex VII, point 7 of the Schengen Borders Code).

For travellers who are visa required and hold a uniform short-stay visa for one or two entries or an ETIAS travel authorisation, the derogation of Article 6(5)(c) of the Schengen Borders Code may apply: it stipulates that third-country nationals who do not fulfil one or more of the conditions laid down in paragraph 1 may be authorised by a European country using EES or requiring ETIAS to enter its territory on humanitarian grounds, on grounds of national interest or because of international obligations. Where the third-country national concerned is the subject of an alert as referred to in paragraph 1(d), the European country using EES or requiring ETIAS authorising them to enter its territory shall inform the other European country using EES or requiring ETIAS accordingly.

17.9. If a traveller missed their international transit flight and needs to leave the airport's transit area and enter a European country requiring ETIAS to reach their final destination, do they need to apply for an ETIAS travel authorisation?

If a traveller who is required to be in possession of an ETIAS travel authorisation, wants to leave the airport's transit area, they need to apply and obtain an ETIAS travel authorisation to be allowed to enter the European country requiring ETIAS. If the traveller remains within the airport's transit area, there is no need to obtain an ETIAS travel authorisation.