

No. BMEIA-GR.4.36.10/0001-IV.2/2015

### N o t e V e r b a l e

The Federal Ministry for Europe, Integration and Foreign Affairs presents its compliments to the Embassy of the Hellenic Republic in Vienna and has the honour to propose, with reference to Article 8 of the Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (thereinafter "Visa Code"), the following agreement between the Federal Ministry for Europe, Integration and Foreign Affairs of the Republic of Austria and the Ministry of Foreign Affairs of the Hellenic Republic (hereinafter referred to as the "Parties") on mutual representation in the visa application procedure:

#### 1. Mutual Representation

(1) The Republic of Austria and the Hellenic Republic represent each other in the processing and issuing of uniform visas valid in the sovereign territory of all Parties to the Convention of 19 June 1990 implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at their common borders (Schengen implementation agreement).

(2) The duty stations to which this Agreement shall apply according to para. 1, are listed in the Annex to this Agreement. Changes to this Annex are made by means of an exchange of notes between the Parties.

#### 2. Procedure

(1) The representing mission accepts the visa application, registers the application data and, after the introduction of the recording of biometric identifiers in visas, also the biometric data and conducts the substantive examination of the application,

(2) In case the requirements for granting a visa according to the Schengen acquis are fulfilled after the competent mission has examined the entry requirements and conducted a risk assessment that mission decides on the visa application and issues the visa according to the examination it had conducted.

(3) In case the requirements for granting a visa according to the Schengen acquis are not fulfilled after the competent mission has examined the entry requirements and conducted

a risk assessment in accordance with the relevant provisions of the EC Regulation 810/2009 (Visa Code), the representing mission is authorised according to article 8 para. 4 letter d Visa Code to deny the visa autonomously.

(4) No visa with limited territorial validity (VTL) can be issued without authorization from the Ministry of Foreign Affairs of the Hellenic Republic, communicated via the competent Consulate of the represented Member State. This does not, however, apply if the limitation is solely due to the fact that not all Schengen Member States recognize the travel document of the applicant.

### 3. Competent authorities

The competent authority for the implementation of the agreement is:

(1) In the Republic of Austria:

Federal Ministry for Europe, Integration and Foreign Affairs  
Department IV.2 (Tourist and Cross-Border Traffic, Residence Matters, Combating,  
Trafficking in Human Beings, Refugee and Migration Affairs)  
1014 Vienna

(2) In the Hellenic Republic:

Foreign Ministry  
C4 Directorate Justice, Home Affairs-Schengen  
10671 Athens

(3) The Parties inform each other by diplomatic channels about the contact data of the competent authorities mentioned in para. 1 and 2.

### 4. Commencement of the representation

(1) The representing mission starts the implementation of this Agreement no later than 30 days after its entry into force and upon written notification to the other side.

(2) The represented Party informs the European Commission about this Agreement and its condition before it enters into force or expires respectively.

(3) At the same time as the information according to para. 2 is undertaken, the consulate of the representing Party informs the consulates of the other Member States as well as the Delegation of the European Union in the respective consular district about the beginning and the ending of this Agreement, before it enters into force or expires respectively.

### 5. Fees

The representing mission shall be entitled to all visa fees.

### 6. Entry into force, period of validity and termination

(1) This Agreement is concluded for an unlimited period and enters into force on the first day of the first month following the exchange of the Verbal Notes.

(2) This Agreement may be amended by mutual written consent of the Parties through diplomatic channels.

(3) This Agreement may be terminated by either Party at any time by a written notice through diplomatic channels. In such case, the Agreement shall expire three months after receipt of that notice by the other Party,

(4) Either Party may suspend the implementation of the Agreement at any time, either in part or in its entirety. The starting and closing date of such suspension shall be notified to the other Party through diplomatic channels. If not agreed differently, such suspension becomes effective after the receipt of the notification by the other Contracting Party.

(5) This Agreement replaces the Agreement on mutual representation in the visa application procedure (verbal note KONS\_0894\_2010 of 15.09.2010 and confirming Greek answer note of 30.11.2010).

If the above is acceptable, the Federal Ministry for Europe, Integration and Foreign Affairs of the Republic of Austria proposes that the present Verbal Note together with the affirmative note in reply of the Embassy of the Hellenic Republic in Vienna constitute an Agreement between the Federal Ministry for Europe, Integration and Foreign Affairs of the Republic of Austria and the Ministry of Foreign Affairs of the Hellenic Republic on mutual representation in the visa application procedure, which enters into force in accordance with the procedure provided for in Paragraph 6 (1) above.

#### ANNEX

The Republic of Austria represents the Hellenic Republic in:

- Dakar (Senegal)
- Taipei

The Federal Ministry for Europe, Integration and Foreign Affairs avails itself of this opportunity to renew to the Embassy of the Hellenic Republic in Vienna the assurances of its highest consideration.

Vienna, 25.04.2016



Embassy of the  
Hellenic Republic  
Vienna