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**EUROPEAN TRAVEL INFORMATION AND AUTHORISATION SYSTEM (ETIAS)**

**Texto

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**INDEX**

# ETIAS: PROCESSING AND REGULATION

# LINKS OF INTEREST

# REFERENCE LEGISLATION

**1. ETIAS: PROCESSING AND REGULATION**

ETIAS has been designed as a tool to facilitate border checks by ensuring a coordinated and harmonised assessment of third-country nationals subject to the travel authorisation requirement who intend to travel to the Member States.

**What is ETIAS?**

The European Travel Information and Authorisation System (ETIAS) is a travel authorisation, which will be required for third-country nationals exempt from the visa requirement to cross external borders.

**Where is it regulated?**

It is set out in Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (hereinafter Regulation (EU) 2018/1240), which has not yet entered into force and is expected to do so in 2024.

**Which countries will require ETIAS for access to their territory?**

Initially, this travel authorisation will be requested by the following 30 countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and Switzerland.

**Which third-country nationals will need to apply for ETIAS?**

It should be recalled that third-country nationals who are exempt from applying for a visa will need to apply for the ETIAS, i.e. this authorisation will be required for foreigners who previously did not pass any control (visa) coming from the countries listed below: Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Bahamas, Barbados, Bosnia and Herzegovina, Brazil, Brunei, Canada, Chile, Colombia, Costa Rica, Dominica, East Timor, El Salvador, Georgia, Grenada, Guatemala, Honduras, Hong Kong, Israel, Japan, Kiribati, Macao, Malaysia, Marshall Islands, Mauritania, Mexico, Micronesia, Moldova, Montenegro, New Zealand, Nicaragua, North Macedonia, Palau, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Serbia, Seychelles, Singapore, Solomon Islands, South Korea, Taiwan, Tonga, Trinidad and Tobago, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, Uruguay and Venezuela.

**How to apply for ETIAS?**

It should be recalled that the legislation regulating this matter has not yet entered into force, so the forms, fee forms, help channels, etc., for applying for authorisation have not yet been published.

However, the applicant for authorisation shall submit his application by completing the online form via the public website or the mobile application, together with a declaration on the accuracy and reliability of the declarations made, well in advance of the intended journey or, if he is already on the territory of the Member States, before the expiry of any travel authorisation he may hold.

Each applicant shall also declare that he/she has understood the conditions of entry and that relevant supporting documents may be required for each entry. Minors shall submit the application form electronically signed by a person having temporary or permanent parental authority or legal guardianship over them.

**What information will I have to provide?**

The applicant must provide the following personal data in the application form:

a) Name(s) and surname(s) at birth; date, place and country of birth, sex, current nationality and name(s) of parents;

b) Other names (alias, stage names, usual names), if any;

c) Other nationalities, if applicable;

d) Type, number and country of issue of the travel document;

e) Dates of issue and expiry of the validity of the travel document;

f) Address of the applicant or, if this is not possible, city and country of residence;

g) E-mail address and, if known, telephone numbers;

h) Educational level (primary, secondary, higher or no education);

i) Current occupation (occupational group) and, in certain cases, the Member State responsible may require the applicant to provide additional information on the precise job title and employer or, in the case of students, the name of the educational establishment;

j) Member State of first intended stay and, optionally, address of first intended stay;

k) For minors: name(s) and surname(s), address, e-mail address and, if known, telephone number of the person exercising parental authority or legal guardianship over the applicant;

l) Where they claim to be family members of third-country nationals who are exempt from the visa requirement or of a third-country national enjoying a right of free movement equivalent to that of citizens of the Union pursuant to an agreement between the Union and its Member States, on the one hand, and a third country, on the other hand, and who do not hold a residence card or residence permit:

i) the status of family member,

ii) name(s), surname(s), date, place and country of birth, current nationality, address, e-mail address and, if known, telephone number of the family member with whom the applicant has family links,

iii) family ties with that family member.

m) In the case of applications completed by a person other than the applicant: name(s), surname(s), company name, organisation (if applicable), e-mail address, postal address and telephone number (if known) of that person; relationship to the applicant and a signed declaration of representation.

**Will they be able to ask me questions?**

**YES**. If asked, the applicant must answer the following questions:

a) Whether he/she has been convicted of an offence listed in the catalogue of offences in Regulation (EU) 2018/1240 within the last ten years and, in the case of terrorist offences, within the last twenty years, and if so, when and in which country;

b) Whether he/she has been in a specific war or conflict zone in the last ten years and the reasons for the stay;

c) If he/she has been the subject of a decision requiring him/her to leave the territory of a Member State or one of the listed third countries exempted from the visa requirement, or of a return decision issued within the last ten years.

It should also be noted that **the application for authorisation may also be processed through a representative of the applicant**, who will act on his/her behalf, which will undoubtedly professionalise the process and speed it up.

**Do I have to pay a fee?**

The applicant **shall pay a travel authorisation fee of EUR 7** for each application.

This travel authorisation fee shall not be payable by applicants who are under eighteen or over seventy years of age at the time of application.

The travel authorisation fee **shall be paid in euro**.

**How will my application be processed?**

Once the application has been submitted, the ETIAS information system will automatically check whether:

a) All fields of the application form have been filled in and contain the requested information.

b) The travel authorisation fee has been charged.

If the above requirements are met, the application shall be considered admissible, and an application file shall be automatically created and assigned an application number, which shall register and store the following data:

a) Application number;

b) Information on the file status, indicating that a travel authorisation has been applied for;

c) The personal data referred to above, including the three-letter country code of the country of issue of the travel document;

d) The date and time the application form was submitted, as well as a reminder that the travel authorisation fee has been paid and the unique reference number of the payment.

When the application file is created, the applicant will receive an immediate notification via the e-mail service explaining that, during the processing of the application, he/she may be required to attend an interview. This notification shall include:

a) Information on the file status, acknowledging receipt of an application for travel authorisation; and

b) The application number.

The notification shall enable the applicant to use the verification tool to be developed and made publicly available for this purpose.

**How soon will I be notified?**

Within **96 hours of the submission of an application** that is admissible, the applicant shall receive a notification stating:

a) Whether the travel authorisation has been issued or refused.

b) That additional information or documentation is requested and that the applicant may be called for an interview.

**Will I be required to provide any additional documentation?**

As stated in the previous section, where the ETIAS national unit of the Member State responsible for processing the travel authorisation considers that the information provided by the applicant in the application form is insufficient to enable it to decide to grant or refuse the authorisation, it may request additional information or documentation from the applicant.

The request for additional information or documentation will be notified through the e-mail service referred to in previous sections, i.e. to the contact e-mail address registered in the application file.

Such request for additional information or documentation shall clearly indicate the information or documentation to be provided by the applicant and a list of the languages in which it may be provided. This list shall include at least English, French or German, unless it includes an official language of the third country of which the applicant claims to be a national, **but the applicant shall not be required to provide an official translation**. An electronic copy of the original documentation shall also be requested together with the request for additional documentation.

**How long do I have to provide additional documentation?**

The applicant shall provide the additional information or documentation directly to the ETIAS national unit of the Member State responsible, through the secure account facility made available to the applicant for this purpose, **within** **10 days from the date of receipt of the request**. The applicant shall provide this information or documentation in one of the languages indicated in the request.

**What will happen with the additional documentation?**

Once the additional information or documentation from the applicant has been submitted, the ETIAS shall record and store it in the application file. The ETIAS unit of the Member State responsible for processing the application shall add the additional information or documentation provided by the applicant to the application file.

**If the additional documentation is insufficient, can I be called for an interview?**

In exceptional circumstances and as a last resort, following the processing of additional information or documentation, where serious doubts remain about the information or documentation provided by the applicant, **the ETIAS national unit of the Member State responsible may invite the applicant for an interview in his/her country of residence**, **at whichever of its consulates is closest to the applicant's place of residence**. Exceptionally, where it is in the interest of the applicant, the interview may take place at a consulate located in a country other than the applicant's country of residence.

The reason for requesting the interview shall be stated in the application file. The interviewer may only ask questions that relate to the reasons for which the interview was requested.

**Is it compulsory to attend the interview in person?**

If the nearest consulate to the applicant's place of residence is located at a distance of **more than 500 km**, the applicant shall be offered the possibility to conduct this **interview by means of** **audio and video remote communication system**. If the distance is less than 500 km, the applicant and the ETIAS national unit of the Member State responsible may jointly agree on the use of such audio and video communication system.

**If remote systems are to be used, will the interview be conducted with the Consulate of the applicant's country of residence or with the Member State directly?**

Where such audio and video communication systems are used, the interview shall be conducted by the ETIAS national unit of the Member State responsible or, exceptionally, by one of the consulates of that Member State. Audio and video remote communication systems shall ensure an appropriate level of security and confidentiality.

**What is the deadline for my interview?**

The invitation to interview shall be notified to the applicant by the ETIAS national unit of the Member State responsible, via the e-mail service made available to the applicant for this purpose, at the contact e-mail address registered in the application file. **The invitation to interview shall be issued within 72 hours of the submission of the additional information or documentation**.

**How long do I have to show up from the moment I am informed of the need for an interview?**

The applicant shall contact the ETIAS national unit of the Member State responsible or the consulate as soon as possible, but no later than **five days after the invitation to interview has been issued**, in order to agree on a mutually convenient date and time for the interview and to determine whether the interview will be conducted remotely. The interview shall take place within ten days of the date of the invitation. The ETIAS system shall register the call for interview in the application file.

**In which language will the interview be conducted?**

The interview via an audio and video remote communication system shall be conducted in the language of the ETIAS national unit of the Member State responsible which requests the interview or in the language chosen for the submission of additional information or documentation. The interview taking place at a consulate shall be conducted in an official language of the third country where the consulate is located, or in any other language agreed between the applicant and the consulate.

**How will the interview be incorporated into the processing file?**

After the interview, **the interviewer will issue an opinion** givingthe reasons for his/her recommendations. The points discussed and the opinion will be included in a form to be registered in the application file on the day of the interview.

**What happens if I do not attend the interview?**

If the applicant fails to attend the interview after having been duly summoned to the interview, the **application shall be rejected** and the ETIAS national unit of the Member State responsible shall inform the applicant without delay.

**For what purpose may information or documentation that is included in the processing file be consulted?**

The form used for the interview and any additional information or documentation recorded in the application file shall only be consulted for the purpose of assessing and deciding on the application, managing an appeal procedure and processing a new application from the same applicant.

**How soon will I be informed of the decision on my travel authorisation application?**

A decision on an application shall be taken within 96 hours of its submission, provided that the application is admissible.

However, where a request for additional information or documentation is notified and the applicant is called for an interview, for obvious reasons, the time limit set out in the previous paragraph (96 hours) will be extended, as detailed below:

(a) Where additional information or documentation has been requested from the applicant, a decision on the application shall be taken within 96 hours of the submission of such additional information or documentation by the applicant.

(b) If the applicant has been called for an interview, the decision on the application shall be taken no later than 48 hours after the interview has taken place.

Before the expiry of the time limits mentioned above, the decision to authorise or refuse the travel authorisation shall be communicated to the applicant.

**Can I be refused a travel authorisation?**

A travel authorisation shall be refused if the applicant:

a) uses a travel document that has been declared lost, stolen, misappropriated or invalidated;

b) poses a safety risk;

c) poses a risk of illegal immigration;

d) poses a high risk of epidemic;

e) is a person for whom an alert has been issued in the system for the purpose of refusing entry and stay;

f) does not respond to a request for additional information or documentation within the time limits referred to in the previous paragraphs;

g) fails to attend an interview, duly formalised.

**On what other grounds can I be refused travel authorisation?**

A travel authorisation shall also be refused if, at the time of application, there are reasonable and substantial doubts regarding the authenticity of the data, the reliability of the statements made by the applicant, the supporting documents submitted by the applicant or the veracity of their contents.

**If I am granted a travel authorisation, can it be cancelled?**

A travel authorisation shall be cancelled when it becomes apparent and evidence is available that the conditions of issue were not fulfilled at the time of issue, and shall be based on any of the grounds for refusal set out above.

The risk assessment officer shall include in the application file the justification underlying the decision to cancel a travel authorisation.

**If I am granted a travel authorisation, can it be revoked?**

The travel authorisation shall be revoked when it becomes apparent and evidence is available that the conditions for its issue are no longer fulfilled, on one or more of the grounds for refusal set out above.

The risk assessment officer shall include in the application file the justification underlying the decision to revoke a travel authorisation.

The travel authorisation may also be revoked at the request of the applicant himself and, logically, no appeal may be lodged against such revocation on this basis. If the applicant is present on the territory of a Member State when the revocation is requested, the revocation shall take effect when the applicant has left the territory and from the moment the corresponding entry or exit record has been created in the system.

**What can I do in case of refusal, cancellation or revocation of the travel request?**

A person whose travel authorisation has been refused, cancelled or revoked shall have the right to appeal. Appeals shall be lodged in the Member State which has taken the decision in accordance with the national law of that Member State. The ETIAS national unit of the Member State responsible shall provide applicants with information on the appeal procedure. The information shall be provided in one of the official languages of the visa exempt countries.

**Can the travel authorisation be extended?**

Citizens holding a travel authorisation may submit an application for a new travel authorisation starting 120 days before the expiry of the travel authorisation.

As the expiry date of the travel authorisation initially granted approaches, i.e. one hundred and twenty days before expiry, the ETIAS central system will automatically inform the holder of the authorisation via the email service provided by the applicant in the application form about: the expiry date of the travel authorisation, the possibility of submitting an application for a new travel authorisation, and the obligation to be in possession of a valid travel authorisation covering the entire period of the short stay in the territory of the Member States (Art. 15.2 of Regulation (EU) 2018/1240).

**2. LINKS OF INTEREST**

[**https://eur-lex.europa.eu/ES/legal-content/summary/the-european-travel-information-and-authorisation-system-etias.html**](https://eur-lex.europa.eu/ES/legal-content/summary/the-european-travel-information-and-authorisation-system-etias.html)

**3. REFERENCE LEGISLATION**

Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System.

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