



Council of the  
European Union

Brussels, 20 May 2016  
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FRONT 222  
COMIX 386  
VISA 161  
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**COVER NOTE**

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From:	Mission of Switzerland to the European Union
date of receipt:	11 May 2016
To:	General Secretariat of the Council
No. prev. doc.:	PE-CONS 36/1/15 REV 1
Subject:	Regulation of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification)

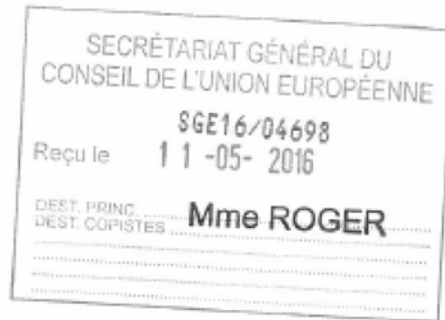
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Delegations will find attached the notification from Switzerland regarding the abovementioned Regulation.



Mission of Switzerland to the European Union

796.0-00-SD-178/2016



The Mission of Switzerland to the European Union presents its compliments to the General Secretariat of the Council of the European Union and herewith confirms receipt of the notification of the Council dated 7 April 2016, issued in accordance with Article 7, paragraph 2 a, first sentence of the agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (hereinafter referred to as « association agreement ») signed in Luxembourg on 26 October 2004. The content of the notification is as follows:

« In accordance with the first sentence of Article 7(2)(a) in conjunction with Article 14(1) of the Agreement associating Switzerland to the Schengen acquis, Switzerland is herewith notified of the adoption of the following act:

Regulation of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification)

Document of the Council:

PE-CONS 36/1/15 REV 1 CODIF 76 SCHENGEN 21 FRONT 129 COMIX 276 VISA 215 CODEC 877

Date of adoption: 9 March 2016 »

In accordance with Article 7, paragraph 2 a, second sentence of the association agreement, the Mission of Switzerland to herewith notifies the General Secretariat that Switzerland accepts the content of the enclosed appendix to the notification of the Council, which forms an integral part of this reply, and will implement it in its internal legal order.

In accordance with Article 7, paragraph 3 of the association agreement, the notification of the Council dated 7 April 2016 and this reply give rise to rights and obligations between Switzerland and the European Union and thus constitute an agreement between Switzerland and the European Union.

General Secretariat of the Council of the European Union  
Directorate general D  
Justice and Home Affairs  
Brussels

This agreement shall enter into force on the date of this reply. It may be denounced in accordance with the provisions of Articles 7 and 17 of the association agreement.

As from the date of the entry into force of this agreement, the following exchanges of notes shall be terminated:

- Exchange of notes of 28 March 2008 between Switzerland and the European Community regarding the acceptance of the Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code);
- Exchange of notes of 24 October 2008 between Switzerland and the European Community regarding the acceptance of the Regulation (EC) No 296/2008 of the European Parliament and of the Council of 11 March 2008 amending the Schengen Borders Code;
- Exchange of notes of 18 February 2009 between Switzerland and the European Community regarding the acceptance of the Regulation (EC) No 81/2009 of the European Parliament and of the Council of 14 January 2009 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code;
- Exchange of notes of 21 November 2013 between Switzerland and the European Union regarding the acceptance of the Regulation (EC) No 1051/2013 amending the Schengen Borders Code in order to provide for common rules on the temporary reintroduction of border control at internal borders.

A copy of the present note is addressed to the European Commission, General Secretariat, SG.A.3, Brussels.

The Mission of Switzerland to the European Union avails itself of this opportunity to renew to the General Secretariat of the Council of the European Union the assurances of its highest consideration.

Brussels, 4 May 2016



*JM*