



Council of the  
European Union

045260/EU XXVI. GP  
Eingelangt am 29/11/18

Brussels, 29 November 2018  
(OR. en)

---

---

Interinstitutional File:  
2017/0171(NLE)

---

---

12383/17  
ADD 1

VISA 349  
COLAC 78

## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

---

Subject: COUNCIL DECISION on the conclusion, on behalf of the Union, of the Agreement between the European Union and Antigua and Barbuda amending the Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver  
- Declaration of the Union

---

### **DECLARATION OF THE UNION CONCERNING THE ENTRY INTO FORCE OF REGULATION (EU) 2017/2226 ESTABLISHING THE ENTRY/EXIT SYSTEM (EES) AND THE MEMBER STATES APPLYING THE SCHENGEN ACQUIS IN FULL**

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 entered into force on 29 December 2017.

As a consequence, as from the date of application of Regulation (EU) 2017/2226<sup>1</sup> for the purposes of this Agreement Member States applying the Schengen *acquis* in full will mean Member States operating the Entry/Exit System at the external borders. The maximum period of 90 days in any 180-day period will be calculated taking into account the period of stay in all the Member States operating the Entry/Exit System at the external borders.

---

<sup>1</sup> The date of application will be decided by the Commission in accordance with Article 73 of Regulation (EU) 2017/2226.