



STATUTORY INSTRUMENTS.

S.I. No. 701 of 2024



EUROPEAN UNION (EU EMERGENCY TRAVEL DOCUMENT)
REGULATIONS 2024

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The Minister for Foreign Affairs, in exercise of the powers conferred on him by section 3 of the European Communities Act 1972 (No 27 of 1972) and for the purpose of giving effect to Council Directive (EU) 2019/997 of 18 June 2019 establishing an EU Emergency Travel Document and repealing Decision 96/409/CFSP¹ and Commission Delegated Directive (EU) 2024/1986 of 6 May 2024 amending Council Directive (EU) 2019/997 as regards the machine-readable zone of the EU Emergency Travel Document², hereby makes the following regulations:

Citation

1. (1) These Regulations may be cited as the European Union (EU Emergency Travel Document) Regulations 2024.

(2) These Regulations shall come into operation on 9 December 2025.

Interpretation

2. (1) In these Regulations –

“Act of 1993” means the Diplomatic and Consular Officers (Provision of Services) Act 1993 (No. 33 of 1993);

“Directive” means Council Directive (EU) 2019/997 of 18 June 2019 establishing an EU Emergency Travel Document and repealing Decision 96/409/CFSP;

“Directive of 2015” means Council Directive EU 2015/637 of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and repealing Decision 95/553/EC³;

“EU ETD” means an EU Emergency Travel Document issued by the Minister or another Member State, as the case may be;

“Minister” means the Minister for Foreign Affairs;

“Regulations of 2018” means the European Union (Consular Protection) Regulations 2018 (S.I. 123 of 2018);

“third country” means a country or territory other than the State or another Member State of the European Union;

(2) A reference in these Regulations –

¹ OJ L 163, 20.6.2019, p.1

² OJ L 16.7.2024, p.1

³ OJ L 106, 24.4.2015, p.1

- (a) to “an embassy or consulate of the State” includes a reference to –
- (i) the head of the mission,
 - (ii) a member of the diplomatic staff of the mission,
 - (iii) a member of the administrative and technical staff of the mission,
 - (iv) the head of consular post,
 - (iv) a consular officer, and
 - (v) a consular employee,
- and “head of the mission”, “member of the diplomatic staff of the mission”, “member of the administrative and technical staff of the mission”, “head of consular post”, “consular officer” and “consular employee” each have the same meaning as they have in the First Schedule and the Second Schedule respectively to the Diplomatic Relations and Immunities Act 1967,
- (b) to a “consulate of the State” shall not include an honorary consulate or an honorary consular officer,
- (c) to the “Minister” shall include an embassy or consulate of the State, where appropriate, and
- (d) to Annexes I and II are references to the Annexes contained in the Directive as amended by the Commission in accordance with Article 11 of the Directive.

(3) A word or expression which is used in these Regulations and which is also used in the Directive has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Directive.

EU Emergency Travel Document

3. (1) Where, in a third country, an unrepresented citizen, whose passport or travel documents has or have been lost, stolen or destroyed or can otherwise not be obtained within a reasonable time, applies in that behalf to an embassy or consulate of the State, the Minister shall issue to the unrepresented citizen an EU ETD for a single journey to the citizen's Member State of nationality or residence, as requested by the citizen, or exceptionally, to a destination other than the citizen's Member State of nationality or residence.

(2) The Minister shall issue EU ETDs to unrepresented citizens in third countries in accordance with the procedures set out in Regulations 4, 5 and 6.

Procedure – State as assisting Member State

4. (1) Subject to paragraph (6), where an embassy or consulate of the State receives an application from an applicant for an EU ETD, the embassy or consulate of the State shall, as soon as possible, and in any event, no later than 2 working days after receipt of the application, consult the Member State of

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nationality in accordance with Regulation 4(3) of the Regulations of 2018 for the purpose of verifying the nationality and identity of the applicant.

(2) An embassy or consulate of the State which receives an application for an EU ETD shall provide the Member State of nationality concerned with all relevant information including –

- (a) the applicant's surname and given name or names, as the case may be,
- (b) the applicant's nationality, date of birth and sex,
- (c) a facial image of the applicant taken by a person who is duly authorised in that behalf by or on behalf of the embassy or consulate of the State or, only where this is not feasible, a scanned or digital photograph of the applicant, based on the standards established by part 3 of International Civil Aviation Organization (ICAO) Document 9303 on Machine Readable Travel Documents (Seventh Edition, 2015) (in these Regulations referred to as "ICAO Document 9303"), and
- (d) a copy or scan of any available means of identification, such as an identity card or driving license, and, where available, the type and number of the document replaced and the national registration or social security number.

(3) Where, in respect of an applicant, an embassy or consulate of the State, having consulted the Member State of nationality, is informed that the Member State of nationality is unable to provide the information required within a period of 3 days, the embassy or consulate of the State shall inform the applicant of that fact and of the estimate of when the response is expected to be given by the Member State of nationality concerned.

(4) Upon receipt from the Member State of nationality of confirmation of an applicant's nationality, the Minister shall provide the applicant with an EU ETD as soon as possible and in any event no later than 2 working days after receipt of the confirmation concerned.

(5) If, in respect of an applicant, an embassy or consulate of State, having consulted the Member State of nationality, is informed that the Member State of nationality objects to an EU ETD being issued to the applicant, the embassy or consulate of the State, in close consultation with the Member State of nationality, shall inform the applicant of the following matters, namely that:

- (a) an EU ETD shall not be issued to that applicant;
- (b) the Member State of nationality shall assume responsibility for providing consular protection to its citizen.

(6) In justified cases, the Minister may take longer than the time limits specified in this Regulation.

(7) In cases of extreme urgency, the Minister may issue an EU ETD to an applicant without prior consultation with the Member State of nationality, however before doing so, the Minister shall have exhausted the available means of communication with the Member State of nationality.

(8) Where the Minister issues an EU ETD to an applicant under paragraph (7), he or she shall notify the Member State of nationality concerned, as soon as possible, of the fact that an EU ETD has been issued to an applicant under paragraph (7) and any such notification shall include the identity of the person to whom the EU ETD was issued and all data which were included on the EU ETD so issued to the person concerned.

Procedure – State as Member State of nationality

5. (1) Subject to paragraph (4), where the Minister receives information referred to in Regulation 4(2) concerning an applicant, the Minister shall, as soon as possible, and in any event no later than 3 working days after receipt of the information concerned referred to in Regulation 4(2) –

(a) respond to the request for consultation in accordance with Regulation 4(8) (inserted by Regulation 2 of the European Union (Consular Protection) (Amendment) Regulations 2024 (S.I. No. 700 of 2024)) of the Regulations of 2018, and

(b) confirm whether the applicant is an Irish citizen.

(2) If the Minister is unable to respond within 3 working days, he or she shall, within that period, inform the assisting Member State of that fact and provide an estimate of when the response is to be expected.

(3) If the Minister objects to an EU ETD being issued to an applicant who is an Irish citizen, the following applies:

(a) the Minister shall inform the assisting Member State concerned of that fact;

(b) the Minister shall assume responsibility for providing consular protection to the applicant in accordance with his or her practice, and

(c) the Minister shall consult closely with the assisting Member State concerned and request that the assisting Member State shall in turn inform that applicant accordingly.

(4) In justified cases, the Minister may take longer than the time limits specified in this Regulation.

Storage and return of issued EU ETDs

6. (1) Where the Minister issues an EU ETD to an applicant he or she shall –

(a) store a copy or scan of the EU ETD so issued,

(b) send another copy or scan to the Member State of nationality of the applicant in respect of whom the EU ETD was issued, and

(c) request the recipient of the EU ETD issued by him or her to return the EU ETD so issued upon arrival at the recipient's final destination, regardless of whether that EU ETD has expired.

(2) Where an EU ETD has been issued by another Member State to an applicant whose final destination is the State, that applicant will be requested to surrender the EU ETD concerned to the State upon his or her arrival in the State.

Financial provisions

7. (1) Subject to paragraphs (2) and (3), the Minister shall charge an applicant such fees for the provision of an EU ETD as may be prescribed by regulations made by the Minister under section 3 of the Act of 1993.

(2) Any fees that would otherwise be chargeable under paragraph (1) shall not be chargeable if those fees are waived generally or in specific situations as may be prescribed by the Minister under section 3 of the Act of 1993.

(3) Where an applicant is unable to pay any applicable fees when submitting his or her application, the applicant shall undertake to repay to his or her Member State of nationality such fees payable by using the standard form set out in Annex I of the Directive of 2015.

(4) Where paragraph (3) applies in respect of an applicant, Articles 14(2) and 15 of the Directive of 2015 shall accordingly apply.

Validity

8. (1) Subject to paragraph (3), an EU ETD shall be valid for the period required for completion of the journey for which it is issued.

(2) In calculating the period referred to in paragraph (1) in respect of the journey concerned, allowance, shall –

- (a) be made for necessary overnight stops and for making travel connections, and
- (b) include an additional period of grace of 2 days.

(3) The validity of an EU ETD shall not, save in exceptional circumstances, exceed 15 calendar days.

Uniform format for EU ETDs

9. (1) EU ETDs shall consist of a uniform EU ETD form and a uniform EU ETD sticker and that form and sticker shall conform to the specifications set out in Annexes I and II and any additional technical specifications established in accordance with Article 9 of the Directive.

(2) When the uniform EU ETD sticker is filled in, the sections set out in Annex II shall be completed and the machine-readable zone filled in, in line with ICAO Document 9303.

(3) The Minister may add any necessary national entries in the section entitled “remarks” of the uniform EU ETD sticker as referred to in point 9 of Annex II, however, those national entries shall not duplicate the sections set out in Annex II.

(4) All entries on the uniform EU ETD sticker, including the facial image, shall be printed and no manual changes shall be made to a printed uniform EU ETD sticker.

(5) Exceptionally, in the event of technical force majeure, uniform EU ETD stickers may be filled in manually and a photograph affixed and in such cases, the photograph shall have additional protection against photo substitution.

(6) No changes shall be made to the uniform EU ETD sticker which has been filled in manually.

(7) If an error is detected on the uniform EU ETD sticker before the uniform EU ETD sticker has been affixed to the uniform EU ETD form, the uniform EU ETD sticker shall be invalidated and destroyed.

(8) If an error is detected after the uniform EU ETD sticker has been affixed to the uniform EU ETD form, both the EU ETD sticker and the EU ETD form shall be invalidated and destroyed and a new uniform EU ETD sticker shall be produced.

(9) The printed uniform EU ETD sticker containing the completed sections shall be affixed to the uniform EU ETD form in accordance with Annex I.

(10) The Minister shall ensure theft-proof storage of blank uniform EU ETD forms and stickers.

Production of EU ETDs

10. Istituto Poligrafico e Zecca dello Stato S.p.A., Via Salaria, 691 - 00138 Roma, Italy is the body designated as having responsibility for producing uniform EU ETD forms and stickers.

Protection of personal data

11. (1) Subject to any further suitable and specific measures to safeguard the fundamental rights and interests of data subjects, the Minister may process such personal data, including biometric data, in respect of an applicant for an EU ETD, as are required for the issue of an EU ETD to the applicant and for the maintenance of the integrity of the system for issuing EU ETDs.

(2) Personal data processed for the purposes of this Regulation, including the facial image or photograph of the applicant referred to in Regulation 4(2), shall only be used –

- (a) to verify the identity of the applicant in accordance with the procedure set out in Regulations 4, 5 and 6,
- (b) to print the uniform EU ETD sticker, and
- (c) to facilitate travel of that applicant.

(3) The Minister shall ensure appropriate security of personal data.

(4) Without prejudice to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement

of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)⁴, an applicant to whom an EU ETD is issued shall have the right to verify the personal data contained in the EU ETD and, where appropriate, to ask for corrections to be made by issuing a new document.

(5) No information in machine-readable form shall be included in an EU ETD unless it also appears in the sections referred to in point 6 of Annex II.

(6) The Minister shall retain the personal data of an applicant only for as long as necessary, including for the collection of the fees referred to in Regulation 7.

(7) In no case shall that personal data be retained by the Minister for a period of more than –

- (a) in a case where the State is the assisting Member State, 180 days, and
- (b) in a case where the State is the Member State of nationality, 2 years.

(8) Upon expiry of the retention period referred to in paragraph (6) or paragraph (7)(a) or (b) as may be appropriate, the personal data of an applicant shall be erased.

(9) By derogation from paragraphs (6) and (7), the State shall ensure the safe destruction of any returned EU ETD and of all related copies as soon as possible.

Monitoring

12. (1) The Minister shall regularly monitor the application of this Directive based on the following indicators:

- (a) the number of EU ETDs issued in accordance with Regulation 3, and the nationality of the person who received it;
- (b) the number of recorded cases of EU ETD fraud and counterfeits.

(2) The Minister shall organise the production and gathering of the data necessary to measure the change in the indicators set out in paragraph (1) and shall supply that information to the Commission on a yearly basis.



GIVEN under the Official Seal of the Minister for Foreign
Affairs,
18 December 2024.

MICHEÁL MARTIN,
Minister for Foreign Affairs.

⁴ OJ L 119, 4. 5. 2016, p. 1

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