

## Artikel 24 voor de verandering

### Article 24

#### Conditions for issuing alerts on refusal of entry or stay

1. Data on third-country nationals in respect of whom an alert has been issued for the purposes of refusing entry or stay shall be entered on the basis of a national alert resulting from a decision taken by the competent administrative authorities or courts in accordance with the rules of procedure laid down by national law taken on the basis of an individual assessment. Appeals against these decisions shall lie in accordance with national legislation.

2. An alert shall be entered where the decision referred to in paragraph 1 is based on a threat to public policy or public security or to national security which the presence of the third-country national in question in the territory of a Member State may pose. This situation shall arise in particular in the case of:

(a) a third-country national who has been convicted in a Member State of an offence carrying a penalty involving deprivation of liberty of at least one year;

(b) a third-country national in respect of whom there are serious grounds for believing that he has committed a serious criminal offence or in respect of whom there are clear indications of an intention to commit such an offence in the territory of a Member State.

## Artikel 24 na de verandering

### Article 24

#### Conditions for entering alerts for refusal of entry and stay

1. Member States shall enter an alert for refusal of entry and stay when one of the following conditions is met:

(a) the Member State has concluded, based on an individual assessment which includes an assessment of the personal circumstances of the third-country national concerned and the consequences of refusing him or her entry and stay, that the presence of that third-country national on its territory poses a threat to public policy, to public security or to national security, and the Member State has consequently adopted a judicial or administrative decision in accordance with its national law to refuse entry and stay and issued a national alert for refusal of entry and stay; or

(b) the Member State has issued an entry ban in accordance with procedures respecting Directive 2008/115/EC in respect of a third-country national.

2. The situations covered by point (a) of paragraph 1 shall arise where:

(a) a third-country national has been convicted in a Member State of an offence carrying a penalty involving the deprivation of liberty of at least one year;

(b) there are serious grounds for believing that a third-country national has committed a serious criminal offence, including a terrorist offence, or there are clear indications of his or her intention to commit such an offence in the territory of a Member State; or

(c) a third-country national has circumvented or attempted to circumvent Union or national law on entry into and stay on the territory of the Member States.