

Application packet

GE2_en_140826

Application for reopening of case about family reunification with children

Uses

You can use this application packet to apply for reopening of a case about family reunification with children, whose application for family reunification with a parent residing in Denmark has been rejected. The rejection must have been issued in the period from 1 July 2004 to 30 May 2016 with the reason, that the child did not have potential for successful integration in Denmark. (The rejection would have been given on the grounds of the Danish Aliens Act section 9(16), the former section 9(13) or section 9(17)).

The basis of the possibility for reopening

On 12 April 2016 the European Court of Justice delivered a judgement on the requirement concerning the potential for successful integration in the Genc case. On the basis of the judgement, it has been assessed that the integration requirement cannot be used in its current wording. The children whose applications for family reunification have been rejected on the grounds of the integration requirement can therefore get their cases reopened.

Contents

This application packet contains two forms:

- Form 1 - Application for reopening of case about residence permit for a child
- Form 2 - Information about the child's parent whom the child is to live with in Denmark

How to use the forms

Applicant under 18 years

When the applicant (child) is under the age of 18 years, the application must be filled out and submitted by the child's parent. The parent must do the following:

- Fill out **Form 1**.
- Attach the required documents.

The parent already possessing the right to live in Denmark must do the following:

- Fill out **Form 2**.
- Fill out the relevant attachments in Form 2.
- Attach the required documents.
- Submit the whole application to the Danish Immigration Service.

Applicant over 18 years

When the applicant (child) is over the age of 18 years, the application must be filled out and submitted by the applicant. The applicant must do the following:

- Fill out **Form 1**.
- Attach the required documents.
- Submit Form 1 to a Danish diplomatic mission abroad (embassy or consulate general) or the Danish Immigration Service.

Please note that you do **not** have to fill out Form 2 when the applicant is over 18 years.

The application can also be send to the Danish Immigration Service. Read more about when and how to submit the application at newtodenmark.dk

For more information

More information about the rules governing family reunification is available at newtodenmark.dk. If you have questions when filling out the forms, you can also contact the Danish Immigration Service. See contact information at www.newtodenmark.dk/contact-us.

**For official use only****PLEASE REMEMBER TO COMPLETE 'FOR OFFICIAL USE ONLY' ON THE LAST PAGE OF FORM 1**

Date received	Received by (name and stamp)	Personal ID / Alien identification number
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GE2a_en_140826

FORM 1 (GE2a)**Application for reopening of case about residence permit for a child****How to apply**

Submit Form 1 when applying for reopening of a case about family reunification with a child.

The applicant (child) or the child's parent must:

1. Fill out and sign this form (Form 1).
2. Attach the required documents.
3. Submit the application.

Which documents should you include?

- Copy of the applicant's (child's) passport (all pages including the cover).
- The applicant's (child's) birth certificate (copy with authorised translation to Danish or English).
- Current passport photo of the applicant (child).

Who must fill out and submit form 1?

If the applicant (child) is under the age of 18 years this part of the application must be filled out by the applicant's parent applying on behalf of the child. When form 1 is filled out the parent must submit Form 1 and Form 2 to the Danish Immigration Service.

If the applicant is over the age of 18 years this part of the application must be filled out by the applicant. When it is filled out it must be submitted to a Danish diplomatic mission (embassy or consulate general) in the country where the applicant lives or to the Danish Immigration Service.

The applicant (the child)**PLEASE COMPLETE IN CAPITAL LETTERS**

Surname		
Given name(s)		
Nationality	Former nationality (if applicable)	
Date of birth (day, month, year)	CPR number (if applicable)	Personal ID (if applicable)
Place of birth (city)	Country of birth	

Name and CPR number of the parent already possessing the right to live in Denmark**PLEASE COMPLETE IN CAPITAL LETTERS**

All Danish citizens and residence permit holders have a CPR number (CPR-nr.). The parent already possessing the right to live in Denmark, who is seeking to bring the applicant (child) to Denmark can tell you what his / her 'CPR number' is.

Name (given and surnames)	CPR number
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2. Information about the applicant (child)**PLEASE COMPLETE IN CAPITAL LETTERS**

Gender ☐ Male ☐ Female	Does the applicant (child) have children of his / her own? ☐ Yes ☐ No
The applicant's (child's) current marital status ☐ Unmarried ☐ Married ☐ Cohabiting partner ☐ Widow(er) ☐ Separated ☐ Divorced ☐ Former cohabiting partner	
The applicant's (child's) address abroad (street and number)	Postal code, city and country
Telephone number	Email address

With whom does the applicant (child) live abroad? (state name)		
☐ Mother _____	☐ Father _____	
☐ Other relative _____	☐ Other _____	☐ Alone
With whom will the applicant (child) live in Denmark? (state relation and name)		Address
☐ Mother _____		Telephone number
☐ Father _____		
		Email address

If the applicant (child) is **currently in Denmark**, you must state the child's date of entry, address, and contact information in Denmark. If the applicant (child) arrives after the application has been submitted but before the decision in the case, you must inform the Danish Immigration Service.

Important: You must inform the Immigration Service of any change to address or other contact information.

Date of entry into Denmark		
Applicant's (child's) address in Denmark (street and number)		Postal code and city
c/o (name)	Telephone number	Email address

2. Information about the applicant's (child's) parents

PLEASE COMPLETE IN CAPITAL LETTERS

Father (surname and given name(s))	Date of birth (day, month, year)
Address (Street, number, postal code, city and country)	Nationality
Mother (surname and given name(s))	Date of birth (day, month, year)
Address (Street, number, postal code, city and country)	Nationality

3. Information about the applicant's (child's) previous visits to Denmark and other countries

PLEASE COMPLETE IN CAPITAL LETTERS

☐ National passport ☐ Other, please state _____	
Passport number	Date of issue
Date of expiry	In which country was the passport issued?
Has the applicant (child) been in Denmark before? ☐ Yes ☐ No	
If yes , when?	

4. Additional information about the application

PLEASE COMPLETE IN CAPITAL LETTERS

5. Declarations

A. Sworn declaration of correctness

I hereby solemnly swear that the information in this application is correct and complete.

If the information is found to be false or incomplete, I am subject to the following penalties:

- Fine or imprisonment of up to two years (Criminal Code section 161, cf. Aliens Act section 40).
- I can be required by law to repay the expenses incurred by the Danish state as a consequence of the false or incomplete information (Aliens Act section 40).
- The applicant's (child's) residence permit can be revoked (Aliens Act section 19).

B. Declaration of consent to allow authorities to gather necessary information

I consent to letting the Danish immigration authorities obtain and pass on information about the child's private affairs for the purpose of enabling them to process this application (Public Administration Act section 29 and Act on Processing of Personal Data section 6-8 and section 27). Information can be obtained from or passed on to other Danish and foreign public authorities, including the police authorities.

Such information includes:

- Previous criminal proceedings against the applicant (child).
- The applicant's (child's) familial relations.
- Verification that the documents submitted with the application are genuine.

I also consent to giving authorities contacted by the Immigration Service while processing the application permission to gather information about the applicant's (child's) private affairs for use in responding to the Immigration Service's enquiry.

C. Information about data protection

Data controller

The Immigration Service is responsible for processing the personal data you provide in this application form and for the data about you we receive in connection with processing the case. Our contact information is: Danish Immigration Service, Farimagvej 51A, 4700 Næstved, CVR-nr.: 77940413, telephone: +45 35 36 66 00, www.newtodenmark.dk

Data protection officer

If you have questions about how we process your personal data, you can contact our data protection officer who has the following contact information: Danish Immigration Service, Farimagvej 51A, 4700 Næstved, Att: Databeskyttelsesrådgiver/Data protection officer

You can also write to our data protection officer via Digital Post or through our contact form at www.newtodenmark.dk/contact-us.

Purpose and legal basis

Your data are collected in order to process your application for residence and the possible following residence in Denmark and to control the requirements for this.

The legal basis for processing your personal data is:

- provisions of the Aliens Act (udlændingeloven), in particular: section 1 (relating to entry into Denmark and residence)
- the General Data Protection Regulation (GDPR) 6.1(c) (relating to the processing of data in order to comply with a legal obligation to which the controller is subject) and 6.1 (e) (relating to the exercise of official authority vested in the Immigration Service by the Aliens Act)
- GDPR 9.2 (f) (relating to the necessity of processing in order to establish, exercise or defend legal claims)

- The Data Protection Act section 8 (relating to the administration only being allowed to process information about criminal offences if it is necessary for the official authorities' tasks).

You are obligated to provide the information necessary for deciding whether you are eligible for a Danish residence permit (Aliens Act section 40). Failure to provide the information can result in a fine or up to one year imprisonment, as well as placing your residence permit in jeopardy (Aliens Act section 60).

The information you supply or have supplied in connection with your application for a residence permit will be registered in the Danish immigration authorities' registers. The same holds true for any information you give in conjunction with an application to extend your residence. If you receive a residence permit, you will be registered in the Civil Registration System (CPR). The CPR is a register maintained by the CPR-administration.

Types of personal data

We process the following types of data about you:

- General personal data, such as: information about your identity; citizenship and nationality; travel routes; information about your family; memberships of associations; financial information; information about your refugee status; and whether you have committed any legally punishable offences
- Sensitive personal data, such as: political opinions or religious beliefs; health information and biometric data collected for the purpose of establishing your identity.

Recipients and categories of recipients

The Immigration Service can, in certain situations, share your data with other authorities. We regularly share data with: the police, municipal authorities, the Danish Security and Intelligence Service and the Danish Defence Intelligence Service (in accordance with section 45 a of the Aliens Act), the public prosecutor (in accordance with section 45 c of the Aliens Act), the Immigration Appeals Board, the Refugee Appeals Board, the Ministry of Immigration and Integration, the Danish Return Agency, the Danish Agency for International Recruitment and Integration, the Danish Agency for Science and Higher Education, the Danish Parliament, and the Foreign Ministry, in particular the embassies and consulates.

Data are shared when it is necessary for the Immigration Service to exercise our official authority, including when we are legally obliged to share data.

In certain situations, the Immigration Service may provide data to a third-party data processor. In addition, other authorities and private organisations can have access to this information (Aliens Act section 44a). In isolated cases, the Immigration Service will share data with other public authorities, private-sector organisations and foreign organisations and authorities.

Origin of information

The Immigration Service processes the personal data you have provided in this application form and data you may provide at a later point in the case process.

In addition, we will process data obtained from:

- any of your possible previous cases with the Immigration Service,
- searches in databases, such as: the Civil Registration System, the income register (eIndkomst), the Central Register of Buildings and Dwellings (BBR), the Central Crime Register (KR), the Central Passport Register and the Schengen Information System (SIS),
- other authorities, such as: the police, municipal authorities, the Danish Agency for International Recruitment and Integration, the Immigration Appeals Board, the Refugee Appeals Board, the Danish Security and Intelligence Service, The Ministry of Immigration and Integration, the Danish Return Agency, and the Foreign Ministry, in particular the embassies and consulates,
- third-parties, such as: employers and educational institutions, and
- the person who might be sponsoring your application, as well as any previous cases the person may have had at the Immigration Service.

Storage of data

The Immigration Service will store your data for as long as it is necessary for us to establish or defend a legal claim to residence.

Data submitted as part of an immigration-related matter can be stored for use by the Immigration Service at a later date. The data stored by the Immigration Service can be used in applications to extend a residence permit, when revoking a residence permit, when lapsing a residence permit, applications for permanent residency, applications for naturalisation, when revoking citizenship and in your children's cases, or in the event they may be involved in an application for family reunification.

If data can be deleted at an earlier point, deletion will be considered. Similarly, access to data can be restricted.

Finally, it should be mentioned that data will also have to be transferred to the National Archives within 30 years, in accordance with section 13 of the Archive Act (arkivloven).

If you have your finger prints and facial photo taken for use with your residence card and for identification and identity control, your fingerprints and photo will be stored in the immigration authorities' database. If you are granted a residence permit, your fingerprints and photo are stored for 10 years. If you are not granted a residence permit, your fingerprints and photo are stored for 20 years. If you are granted Danish citizenship, your fingerprints and photo will be deleted.

Consent

The Immigration Service does not request consents in order to process personal data, as is otherwise required by the GDPR, since processing authority is granted by 6.1 (e) and 9.2 (f) of the GDPR (see section 3).

You may be asked for legal consent. Such a consent is not the basis for the specific procession of personal data but is instead a warranty provision in accordance with e.g. the Public Administration Act (forvaltningsloven) or the Aliens Act.

Rights

Under the GDPR, you have certain rights:

- You have the right to access which data about you the Immigration Service is processing.
- You have the right to request that corrections are made to personal data about you that you feel are inaccurate.
- In special situations you have the right to have data about you deleted or to restrict the processing of your personal data, if the data is no longer necessary for the processing of your case.
- You have the right to object to otherwise legal processing of your personal data.

You can read more about your rights in the Danish Data Protection Agency's guidance about the GDPR at www.datatilsynet.dk. If you would like make use of your rights under the GDPR, contact the Immigration Service.

Complaints to the Data Protection Agency

You have the right to submit a complaint to the Data Protection Agency if you are dissatisfied with the way we process your personal data. Information about how to do so is available at www.datatilsynet.dk

Information about the processing of your personal data by the Department of the Ministry of Immigration and Integration

The Immigration Service may disclose information about you, including information from your case, to the Department of the Ministry of Immigration and Integration. The Department may process your information when this is necessary for the performance of a task carried out in the exercise of official authority, including the preparation of statistics, drafting and evaluation of legislation, assistance to the Danish Parliament, processing enquiries from the media and requests for public access, and in the performance of other such official tasks of the Ministry of Immigration and Integration. The Department may also process information about you from other public authorities, for instance personal data relating to criminal convictions and offences, information about your taxes or information about your employment.

You can find information about the Department's processing of your personal data at. On the website www.uim.dk/processing-of-your-personal-data you will find the Department's contact information, information about the Department's Data Protection Officer (DPO), further information about the Department's legal basis for the processing of your personal data, and about your rights in relation to our data processing activities.

D. Notification that information can be passed on to Danish intelligence agencies and prosecuting authority

The information and documents that you submit with the application can be passed on to Danish intelligence agencies and the Danish public prosecuting authority (Aliens Act section 45 a and section 45 c). This process can be initiated by Danish immigration authorities, Danish intelligence agencies or the Danish public prosecutor.

The prosecuting authority will be able to use the information to evaluate whether there are grounds for prosecuting the applicant (child) for crimes committed in Denmark or abroad, to identify victims of or witnesses to a specific crime, or to aid foreign law enforcement agencies.

E. Notification that some information will be passed on to local Danish authorities

Danish immigration authorities give certain information to authorities in the municipality (kommune) where the child will live, should the applicant (child) be given a residence permit (Aliens Act section 44a).

The municipality will also be informed if the applicant's (child's) residence permit is

- not renewed at a later point or has been revoked,
- found to be lapsed, or
- made permanent.

Finally, the municipality where the child lives will have access to information about the child contained in the Danish immigration authorities' registers if the information is necessary for it to carry out its duties.

If necessary the municipality will have access to data contained in the Danish immigration authorities' registers, including:

- Information about existing and other earlier grounds for residence.
- Information about the status of the applicant's (child's) application, including the date it was submitted, type of

application and whether a decision has been appealed, etc.

- Information regarding the applicant's child's progress in Danish classes.
- Information about municipalities where the child has previously resided.

Other relevant authorities or organisations, including the police, the regional state administration, the tax authority (SKAT) and language centres, also have access to similar information.

F. Notification that Danish authorities have registered information about the child and the child's affairs

The information you supply or have supplied in connection with the application for a residence permit will be registered in the Danish immigration authorities' registers. The same holds true for any information you give in conjunction with an application to extend a residence permit.

If the child receives a residence permit, it will be registered in the Civil Registration System. The Civil Registration System is a computerised register maintained by the Ministry of Social Affairs and the Interior.

The information in the Danish immigration authorities' registers and the Civil Registration System will be used to answer questions relating to the child's residence in Denmark (Act on Processing of Personal Data section 6-8). Public administration authorities (record keeping), the police (record keeping and verification) and the Immigration Appeals Board (reviewing complaints) will have access to the information about the child contained in the Danish immigration authorities' registers and the Civil Registration System. In addition, other authorities and private organizations can have access to this information (Aliens Act section 44a).

You are obligated to provide the information necessary for deciding whether the child is eligible for a Danish residence permit (Aliens Act section 40). Failure to provide the information can result in a fine or up to one year imprisonment, as well as placing the child's residence permit in jeopardy (Aliens Act section 60). You and the child are entitled to right of access to the information about the child in the Danish immigration authorities' registers and the Civil Registration System. Enquiries about this can be addressed to the Danish Immigration Service, Ryesgade 53, DK-2100 Copenhagen Ø.

The fingerprints recorded for use on the child's residence card will be deleted from the Danish immigration authorities' registers no later than 90 days after a residence card has been issued or the application has been turned down.

G. Information regarding possible verification by the authorities of the information you have supplied

The Integration Service may seek to verify the accuracy of the information you have given in this application. This may happen while the application is being processed or later, if the child is granted a permit. If the child is granted a permit and the Immigration Service finds that the child no longer meets the requirements of his/her residence permit, the permit may be revoked. Verification may be conducted at random and is not necessarily an indication that the Immigration Service suspects you of providing false information about the child, or suspects the child of not meeting the requirements of his/her residence permit.

Verification may involve the following:

- Checking public registers, such as the Civil Registration System.
- Comparison of information contained in the Danish immigration authorities' registers with records held by the Central Office of Civil Registration (CPR Office), the Buildings and Housing Registry (BBR) or the income registry (eIndkomst).
- Contacting other authorities, such as municipalities.
- Contacting third parties, such as employers or places of study.
- Turning up in person at the child's residence, place of study or workplace.

You may be asked to supply additional information as part of the verification process.

6. Signature

If the applicant is **older than 18**, the signature of the applicant is required.

If the child is **younger than 18**, only the signature of the parent signing on behalf of the child is required.

I confirm that I have read, understood and accepted the terms laid out in section 5 A-B and that I have read and understood the terms laid out in section 5 C-G.

Name

Date and place

Signature

Checklist

It is important that you make certain that the forms are filled out correctly and that you have included the necessary documents before submitting the application.

We recommend using the checklist below to verify that the application is complete and correct, and that it includes the required documents.

Before submitting the application, please ensure you have included the following documents:

- ☐ Current passport photo of the applicant (child).
- ☐ Copy of the applicant's (child's) passport (all pages including cover).
- ☐ The applicant's (child's) birth certificate (copy with authorised translation to Danish or English).

It is also important to:

- ☐ Answer all questions.
- ☐ Sign and date the application - applies to the applicant or the parent applying on behalf of the applicant (child).

Remember to bring the applicant's (child's) original passport when the application is submitted.

For official use only: Comments and forwarding endorsements

Who submitted the application?

- ☐ Sponsor/reference ☐ The applicant ☐ Other (indicate whom) _____

Comments

PLEASE REMEMBER TO COMPLETE 'FOR OFFICIAL USE ONLY' ON PAGE 2 OF THIS FORM

For official use only: Checklist

Are names and passport information in accordance with shown identification?	☐ Yes	☐ No
Has the applicant been advised that one passport photo must be included?	☐ Yes	☐ No
Have all questions been answered?	☐ Yes	☐ No
Has the application been signed?	☐ Yes	☐ No
Has a copy of the applicant's (child's) passport been included? (all pages including front page)	☐ Yes	☐ No
Has a copy of the applicant's birth certificate been included? (copy with authorised translation to English or Danish)	☐ Yes	☐ No
Has documentation for custody been included? (copy with authorised translation to English or Danish)	☐ Yes	☐ No

FORM 2 (GE2b)

Information about the applicant's (child's) parent (the person with whom the child is to live) in Denmark

GE2b_en_160616

Instructions

The parent living in Denmark, with whom the child is to live must:

1. Fill out this form and attachment 1-2 if applicable.
2. Attach the required documents.
3. Submit the application (Form 1 and 2) to the Immigration Service's Citizen Centre.

Which documents should you include?

- Documentation that you have custody of the child (a copy with authorised translation to Danish or English).
- Other documents. Specified below in each section of this form.

Information about you (the adult with whom the applicant (child) is to live in Denmark)

PLEASE COMPLETE IN CAPITAL LETTERS

Surname		CPR number
Given name(s)		
Nationality	Former nationality (if applicable)	
Date of birth	Gender ☐ Male ☐ Female	
Place of birth (city)	Country of birth	
Telephone number	Email address	

1. Information about the applicant (child) applying for reopening of a case

PLEASE COMPLETE IN CAPITAL LETTERS

Surname		
Given name(s)		
Date of birth (day, month, year)	Gender ☐ Male ☐ Female	Nationality
Who has custody of the child?		
If the child's parents are unmarried or divorced, documentation for custody must be attached.		
Will the child live with you? ☐ Yes ☐ No		
If not , please state why not, with whom (name and relationship) and where the child will live (address):		
Is the child married/cohabiting partner? ☐ Yes ☐ No		
Has the child ever been married/cohabiting partner? ☐ Yes ☐ No		
Has the child or have the child ever had a serious illness or handicap? ☐ Yes ☐ No		
If yes , please describe the illness/handicap and state when it occurred:		

Do you have or have you ever had a serious illness or handicap? ☐ Yes ☐ No

If **yes**, please describe the illness/handicap and state when it occurred:

If yes you must attach documentation for the illness/handicap.

Has the child been in Denmark before? ☐ Yes ☐ No

If **yes**, please state when:

Have you seen the child in the past 2 years? ☐ Yes ☐ No

If **yes**, please state how, where often and when. **Attach documentation** such as copy of your passport or plane tickets.

If **no**, please state the following:

The reason why, you haven't seen the child in the past 2 years:

How often and when did you last see the child since your arrival in Denmark:

Where does the child's other parent live? (please state name, address and country)

2. Visitation of children in Denmark

PLEASE COMPLETE IN CAPITAL LETTERS

Below we will ask some questions about any other children you have from a previous or existing relationship. We ask these questions so that we can determine whether there are grounds to exempt you from certain requirements for family reunification.

You could be exempt from certain requirements if, for example, you have custody or visitation rights with a child under 18 living in Denmark. We require, however, that visitation actually takes place and that it occurs periodically.

Be aware that we may contact those children's other parent to confirm this information.

Do you have any other children in Denmark under the age of 18? ☐ Yes ☐ No (if no, go to section 3)

Please indicate below if you do **not** want the Danish Immigration Service to take into consideration that you have children from a previous marriage. If you indicate this, then it will not be necessary to contact the children's other parent. Be aware, however, that doing so means you normally will be required to **meet all conditions for family reunification**.

☐ I do **not** want the Immigration Service to take into consideration that I have other children when processing my application. I understand that this means I normally will be required to meet all conditions for family reunification.

If you want the Immigration Service to take into consideration that you have other children, then you must give your consent in section 2.A that the Immigration Service can disclose the information that you are involved in an application for residence permit. Consent is given by signing the consent declaration below. In addition, you are asked to fill out section 2.B with information about your other children.

2.A Consent declaration for the disclosure of information

I hereby give my consent for the Immigration Service to disclose information to my children's other parent that lives in Denmark about my involvement in an application for residence permit.

Date and place

Signature

2.B Information about your other children

Given name(s) and surname	CPR number	Nationality

Which children do you have custody over? (please identify by name)

Please **attach documentation**.

Which children live with you? (please identify by name)

Which children attend / have attended a Danish nursery school, kindergarten or school? (please identify by name)

Below you must state, how often you see the child/children in a normal period of four weeks. You must mark the boxes with an X on the days where the child/children stay with you – you must do this regardless of how much time you spend with the child/children during the day, and regardless of whether the child stays overnight.

If you e.g. see the child/children on Wednesday from 4 pm to Thursday 8 am, you must mark the boxes 'Wed' and 'Thu'. If you see the child/children on Wednesday from 7 pm to 8 pm, you must mark the box 'Wed'.

How often you see the child/children in a normal period of four weeks?

Week 1

☐ Mon
 ☐ Tue
 ☐ Wed
 ☐ Thu
 ☐ Fri
 ☐ Sat
 ☐ Sun

Week 2

☐ Mon
 ☐ Tue
 ☐ Wed
 ☐ Thu
 ☐ Fri
 ☐ Sat
 ☐ Sun

Week 3

☐ Mon
 ☐ Tue
 ☐ Wed
 ☐ Thu
 ☐ Fri
 ☐ Sat
 ☐ Sun

Week 4

☐ Mon
 ☐ Tue
 ☐ Wed
 ☐ Thu
 ☐ Fri
 ☐ Sat
 ☐ Sun

Are you together with the child/children during vacations or holy days? ☐ Yes ☐ No

If **yes**, please indicate to what extent and the periods in which you are together with the child/children.

3. Information about your ability to support the child financially and housing

3.A Financial support

If you

- are parent to the child and
- have custody of the child

then we normally do **not** require that you are able to support yourself, i.e. that you are not receiving benefits in accordance with the terms of the Active Social Policy Act or the Integration Act in the period up to the applicant are granted a permanent residence permit.

There can, however, be situations (for example, if there is limited personal contact between a parent and child) where we can still require that you are able to support yourself.

In order to fulfill the self-support requirement, you must do the following:

- Attach a declaration from the municipality stating that you have not received benefits in accordance with the terms of the Active Social Policy Act or the Integration Act. At the back of this form (attachment 3) you will find the

request for a declaration you can send to the municipality. The municipality will send a declaration back to you, which you should submit together with this form.

If you want to ensure the fastest possible processing of your case, we urge you under all circumstances to request a declaration from your municipality about whether you are receiving benefits in accordance with the Active Social Policy Act or the Integration Act.

3.B Housing

PLEASE COMPLETE IN CAPITAL LETTERS

If you

- are parent to the applicant (child) and
- have custody of the applicant (child)

then we normally do **not** require that you have an independent reasonably sized residence at your disposal.

There can, however, be situations (for example, if there is limited personal contact between a parent and child) where we can still require that you have an independent reasonably sized residence at your disposal.

If you want to ensure the fastest possible processing of your case, we urge you under all circumstances to answer the questions below.

Read more about the housing requirement on www.newtodenmark.dk/family

Below we ask a number of questions to determine if you meet the housing requirement.

Do you rent your residence? ☐ Yes ☐ No

If **yes**, you must answer the following questions:

Do you rent a co-operatively owned residence (andelsbolig or anpartsbolig)? ☐ Yes ☐ No

Do you rent your residence for a limited period of time? ☐ Yes ☐ No

If **yes**, when does your rental expire? _____

Enclose **a copy of your rental contract with the landlord.**

Do you rent your residence as sublease (fremleje)? ☐ Yes ☐ No

If **yes**, when does your sublease contract expire? _____

Enclose **a copy of your sublease contract with the landlord.**

Do you rent a part of a residence? ☐ Yes ☐ No

If **yes**, does your residence have a separate entrance and does it appear as one unit? ☐ Yes ☐ No

If **no**, do you live in a collective (kollektiv), housing community (boligfællesskab) or similar? ☐ Yes ☐ No

Do you own your own residence? ☐ Yes ☐ No

Enclose **a copy of your deed or the final sales contract.**

Do you own your residence as part of an owners co-operative (andelsbolig or anpartsbolig)? ☐ Yes ☐ No

Enclose **a copy of share certificate** (andelsbevis or anpartsbevis).

Do you live in student housing (kollegium) or in a rented room (klubværelse)? ☐ Yes ☐ No

Enclose **documentation.**

How large is your residence? (in m²)

How many rooms are there in your residence? (Kitchen, bathroom, foyer, staircase, storage rooms, etc. are not considered rooms)

How large is each room? (in m²)

How many people will live in your residence? (Please include the people currently living there as well as the people who are applying for residence in Denmark)

4. Additional information

PLEASE COMPLETE IN CAPITAL LETTERS

Please use the space below for any additional information you believe the Immigration Service should be aware of when processing the child's application. This may be information about the (applicant's) child's situation or your own situation.

5. DNA and age testing

In certain situations, the Danish Immigration Service will require that you and the applicant (child) take a DNA test cf. Sec. 40 c of the Aliens Act.

You will be requested to do so if – as part of the overall evaluation of the application – doubt arises over the truthfulness of your claim to be related to the applicant (child).

A DNA test is done by scraping the inside of the mouth of you and the child. A forensic analysis of the samples will be conducted at the Forensic Science Institute (Retsmedicinsk Institut) in Copenhagen. The results of the test will show if and how you are related.

The Immigration Service can also require the applicant (child) to take an age test, if doubt arises over whether the applicant's correct age has been given. The age test consists of an X-ray of the applicant's (child's) carpal bones, a dental examination (including X-ray) and a medical examination.

Not every application requires DNA and/or age testing, but, should the need arise; giving your consent below regard DNA and age testing of your child will help expedite the application.

Please note that the Immigration Service pays the costs of the DNA and/or age test, if the tests are required.

If the DNA and/or age testing reveals that the information you have given about your relationship to or the age of the people in question is incorrect, the matter can be turned over to the police and I could be forced to repay the costs of the test(s).

Consent to participate in DNA and age testing

(Indicate by marking X)

☐ I give consent to a DNA testing of my child (the applicant) that involves a scraping of the mouth. The test to be carried out if it is requested by the Immigration Service when processing the application for reopening of the child's case about Danish residence permit.

☐ I give consent to an age testing of my child (the applicant) that involves X-ray of the carpal bones and a dental examination. The test to be carried out, if it is requested by the Immigration Service when processing the application for reopening of the child's case about Danish residence permit.

☐ I give consent to the immigration authorities to take a photograph of my child (the applicant) in order to confirm the child's identity.

☐ **I do not** give consent to a DNA testing of my child (the applicant).

☐ **I do not** give consent to an age testing of my child (the applicant).

☐ **I do not** give consent to take a photograph of my child (the applicant).

6. Declarations

A. Sworn declaration of correctness

I hereby solemnly swear that the information I have given in this form is correct.

If the information is found to be false, I am subject to the following penalties:

- Fine or imprisonment of up to two years (Criminal Code section 161, cf. Aliens Act section 40).
- I can be required by law to repay the expenses incurred by the Danish state as a consequence of the false information (Aliens Act section 40).
- The applicant's residence permit can be revoked (Aliens Act section 19).

B. Sworn declaration that I have not been convicted of crimes against minor children

I hereby solemnly swear that in the past ten years I have not been convicted of child abuse (Aliens Act section 9 (19)).

I.e. that I have not been sentenced (imprisonment, suspended or otherwise, or other punishment for a criminal offence that involves or leaves open the possibility of imprisonment) for:

- Certain offences against family relationships
- Certain sexual offences
- Certain offences of violence against the person
- Certain offences against personal liberty
- Punishable threats

Further information is available at newtodenmark.dk

If the declaration is found to be false, I am subject to the following penalties:

- Fine or imprisonment of up to two years (Criminal Code section 161, cf. Aliens Act section 40)
- I can be required by law to repay the expenses incurred by the Danish state as a consequence of the false declaration (Aliens Act section 40).
- The applicant's residence permit can be revoked (Aliens Act section 19).

C. Declaration of consent to allow authorities to gather necessary personal information for use in processing the application for family reunification

I consent to letting the relevant Danish authorities obtain and pass on information about my private affairs for the purpose of enabling them to process the application for family reunification (Public Administration Act section 29 and Act on Processing of Personal Data section 6-8 and section 27). Information can be obtained from or passed on to other Danish and foreign public authorities, including the police.

Such information includes:

- Previous criminal proceedings against me (if applicable).
- My familial relations.
- Whether I have received public assistance under the terms of the Active Social Policy Act or the Integration Act.
- Verification that the documents submitted with this form are genuine.

I also consent to allowing authorities contacted by the Immigration Service while processing the application permission to gather information about my private affairs for use in responding to the Immigration Service's enquiry.

D. Information about data protection

Data controller

The Immigration Service is responsible for processing the personal data you provide in this application form and for the data about you we receive in connection with processing the case. Our contact information is: Danish Immigration Service, Farimagvej 51A, 4700 Næstved, CVR-nr.: 77940413, telephone: +45 35 36 66 00, www.newtodenmark.dk

Data-protection officer

If you have questions about how we process your personal data, you can contact our data-protection officer who has the following contact information: Danish Immigration Service, Farimagvej 51A, 4700 Næstved, Att: Databeskyttelsesrådgiver/Data protection officer

You can also write to our data protection officer via Digital Post or through our contact form at www.newtodenmark.dk/contact-us.

Purpose and legal basis

Your data are collected in order to process this application and the applicant's continual residence in Denmark and to control the requirements for this.

The legal basis for processing your personal data is:

- provisions of the Aliens Act (udlændingeloven), in particular: section 1 (relating to entry into Denmark and residence)
- the General Data Protection Regulation (GDPR) 6.1(c) (relating to the processing of data in order to comply with a legal

obligation to which the controller is subject) and 6.1 (e) (relating to the exercise of official authority vested in the Immigration Service by the Aliens Act)

- GDPR 9.2 (f) (relating to the necessity of processing in order to establish, exercise or defend legal claims)
- The Data Protection Act section 8 (relating to the administration only being allowed to process information about criminal offences if it is necessary for the official authorities' tasks).

You are not obligated to answer the questions in this form. If you chose not to answer one or more questions, the Danish Immigration Service can order you to provide the information that is necessary to assess whether the child can be granted a Danish residence permit (Aliens Act section 40). If you do not provide the information it can result in the child not being granted a residence permit.

The information you have supplied in this form will be registered in the Danish immigration authorities' registers. The same holds true for any information you give later in conjunction with an application to extend your spouse's/cohabitating partner's residence permit.

Types of personal data

We process the following types of data about you:

- General personal data, such as: information about your identity; citizenship and nationality; travel routes; information about your family; memberships of associations; financial information; information about your refugee status; and whether you have committed any legally punishable offences
- Sensitive personal data, such as: political opinions or religious beliefs; health information and biometric data collected for the purpose of establishing your identity.

Recipients and categories of recipients

The Immigration Service can, in certain situations, share your data with other authorities. We regularly share data with: the police, municipal authorities, the Danish Security and Intelligence Service and the Danish Defence Intelligence Service (in accordance with section 45 a of the Aliens Act), the public prosecutor (in accordance with section 45 c of the Aliens Act), the Immigration Appeals Board, the Refugee Appeals Board, The Ministry of Immigration and Integration, the Danish Return Agency, The Danish Agency for International Recruitment and Integration, The Danish Parliament, and the Foreign Ministry, in particular the embassies and consulates.

Data are shared when it is necessary for the Immigration Service to exercise our official authority, including when we are legally obliged to share data.

In certain situations, the Immigration Service may provide data to a third-party data processor. In addition, other authorities and private organisations can have access to this information (Aliens Act section 44a). In isolated cases, the Immigration Service will share data with other public authorities, private-sector organisations and foreign organisations and authorities.

Origin of information

The Immigration Service processes the personal data you have provided in this application form and data you may provide at a later point in the case process.

In addition, we will process data obtained from:

- any of your possible previous cases with the Immigration Service,
- searches in databases, such as: the Civil Registration System, the income register (eIndkomst), the Central Register of Buildings and Dwellings (BBR), the Central Crime Register (KR), the Central Passport Register and the Schengen Information System (SIS),
- other authorities, such as: the police, municipal authorities, the Danish Agency for International Recruitment and Integration, the Immigration Appeals Board, the Refugee Appeals Board, the Danish Security and Intelligence Service, The Ministry of Immigration and Integration, the Danish Return Agency, and the Foreign Ministry, in particular the embassies and consulates,
- third-parties, such as: employers and educational institutions, and
- the person, who is applying because of his/her relation to you, as well as any previous cases the person may have had at the Immigration Service.

Storage of data

The Immigration Service will store your data for as long as it is necessary for us to establish or defend a legal claim to residence.

Data submitted as part of an immigration-related matter can be stored for use by the Immigration Service at a later date. The data stored by the Immigration Service can be used in applications to extend a residence permit, when revoking a residence permit, when lapsing a residence permit, applications for permanent residency, applications for naturalisation, when revoking citizenship and in your children's cases, or in the event they may be involved in an application for family reunification.

If data can be deleted at an earlier point, deletion will be considered. Similarly, access to data can be restricted.

Finally, it should be mentioned that data will also have to be transferred to the National Archives within 30 years, in accordance with section 13 of the Archive Act (arkivloven).

Consent

The Immigration Service does not request consents in order to process personal data, as is otherwise required by the GDPR, since processing authority is granted by 6.1 (e) and 9.2 (f) of the GDPR (see section 3).

You may be asked for legal consent. Such a consent is not the basis for the specific processing of personal data but is instead a warranty provision in accordance with e.g. the Public Administration Act (forvaltningsloven) or the Aliens Act.

Rights

Under the GDPR, you have certain rights:

- You have the right to access which data about you the Immigration Service is processing.
- You have the right to request that corrections are made to personal data about you that you feel are inaccurate.
- In special situations you have the right to have data about you deleted or to restrict the processing of your personal data, if the data is no longer necessary for the processing of your case.
- You have the right to object to otherwise legal processing of your personal data.

You can read more about your rights in the Danish Data Protection Agency's guidance about the GDPR at www.datatilsynet.dk. If you would like make use of your rights under the GDPR, contact the Immigration Service.

Complaints to the Data Protection Agency

You have the right to submit a complaint to the Data Protection Agency if you are dissatisfied with the way we process your personal data. Information about how to do so is available at www.datatilsynet.dk

Information about the processing of your personal data by the Department of the Ministry of Immigration and Integration
The Immigration Service may disclose information about you, including information from your case, to the Department of the Ministry of Immigration and Integration. The Department may process your information when this is necessary for the performance of a task carried out in the exercise of official authority, including the preparation of statistics, drafting and evaluation of legislation, assistance to the Danish Parliament, processing enquiries from the media and requests for public access, and in the performance of other such official tasks of the Ministry of Immigration and Integration. The Department may also process information about you from other public authorities, for instance personal data relating to criminal convictions and offences, information about your taxes or information about your employment.

You can find information about the Department's processing of your personal data at. On the website you www.uim.dk/processing-of-your-personal-data will find the Department's contact information, information about the Department's Data Protection Officer (DPO), further information about the Department's legal basis for the processing of your personal data, and about your rights in relation to our data processing activities.

E. Information regarding possible verification by the authorities of the information you have supplied

The Integration Service may seek to verify the accuracy of the information you have given in this application. This may happen while the application is being processed or later, if the applicant is granted a permit. If the applicant is granted a permit and the Immigration Service finds that he/she no longer meets the requirements of his/her residence permit, his/her permit may be revoked. Verification may be conducted at random and is not necessarily an indication that the Immigration Service suspects you of providing false information, or suspects the applicant of not meeting the requirements of his/her residence permit.

Verification may involve the following:

- Checking public registers, such as the Civil Registration System
- Comparison of information contained in the Danish immigration authorities' registers with records held by the Central Office of Civil Registration (CPR Office), the Buildings and Housing Registry (BBR) or the income registry (eIndkomst)
- Contacting other authorities, such as municipalities
- Contacting third parties, such as employers or places of study
- Turning up in person at your residence, place of study or workplace

You may be asked to supply additional information as part of the verification process.

F. Notification that Danish authorities have registered information about you and your affairs

The information you have supplied in connection with this form will be registered in the Danish immigration authorities' registers. The same holds true for any information you give in conjunction with an application to extend the applicant's residence permit.

The information in the Danish immigration authorities' registers and the Civil Registration System will be used to answer

questions relating to your residence in Denmark (Act on Processing of Personal Data sections 6-8). The State Administration (record keeping), the police (record keeping and verification) and the Immigration Appeals Board (reviewing complaints) will have access to the information about you contained in the Danish immigration authorities' registers and the Civil Registration System. In addition, other authorities and private organizations can have access to this information (Aliens Act section 44a).

You are not obligated to answer the questions in this form. If you chose not to answer on or more questions, the Danish Immigration Service can order you to provide the information that is necessary to assess whether the applicant can be granted a Danish residence permit (Aliens Act section 40). Failure to provide the information can result in placing the applicant's residence permit in jeopardy. You are entitled to get access to the information about you in the Danish immigration authorities' registers. Enquiries about this can be addressed to the Danish Immigration Service.

7. Signature

By signing below **I confirm that I have read, understood and accepted the terms laid out in section 5 and section 6 A-C and that I have read and understood the terms laid out in section 6 D-F.**

Date and place

Name

Signature

Attachment 1: Sworn declaration that I have not been convicted of crimes against minor children

Your child can only be reunited with you in Denmark if both you and your spouse/cohabiting partner give a sworn statement declaring that neither of you has been convicted of crimes against a minor child in the past 10 years.

You have already declared this by signing Section 7 (cf. Section 6.B).

Your spouse/partner (if applicable) declares the same by signing below.

Therefore, this declaration should not be signed by you (the adult filling out this form and with whom the applicant (child) is to live in Denmark).

This declaration should be signed by your spouse/partner (if applicable). It is important that it is the right person who signs this declaration.

I, the spouse/partner, hereby solemnly swear that in the past ten years I have not been convicted of child abuse (Aliens Act section 9 (19)).

I.e. that I have not been sentenced (imprisonment, suspended or otherwise, or other punishment for a criminal offence that involves or leaves open the possibility of imprisonment) for:

- Certain offences against family relationships
- Certain sexual offences
- Certain offences of violence against the person
- Certain offences against personal liberty
- Punishable threats

Further information is available at newtodenmark.dk

If the declaration is found to be false, I am subject to the following penalties:

- Fine or imprisonment of up to two years (Criminal Code section 161, cf. Aliens Act section 40)
- I can be required by law to repay the expenses incurred by the Danish state as a consequence of the false declaration (Aliens Act section 40).
- The applicant's residence permit can be revoked (Aliens Act section 19).

By signing below **I confirm that I have read, understood and accepted the contents of this declaration.**

Date and place	Name
Spouse/partner's signature	

Attachment 2: Statement from the municipality for use when applying for family reunification with children

Parents in Denmark who have custody of a child applying for a Danish residence permit normally do not need to meet the self-support requirement.

However, in certain situations (such as cases in which there has been minimal contact between the parent and child) the parent will have to meet the self-support requirement.

In order to ensure that the child's application is processed as quickly as possible, the Immigration Service urges the parent to – regardless of your situation – provide documentation that you have not received public assistance under the terms of the Active Social Policy Act or the Integration Act (see instructions below).

In order to prove that you meet the self-support requirement, the adult with whom the child is to live must submit a statement from his / her municipality (kommune) of residence documenting that he / she has not received public assistance under the terms of the Active Social Policy Act or the Integration Act, cf. Aliens Act sec. 9 (15) (sec. 9 (20)).

The adult with whom the child will live in Denmark must do the following:

1. Fill out and sign the request for a statement from your municipality (**section A**)
2. Send all pages of Attachment 2 to your municipality of residence

The municipality will fill out part B and return the signed and stamped statement to you. When you have received the statement, submit or send it to the Immigration Service together with the completed information form and attachments.

The municipal employee must do the following:

1. Fill out the statement (section B)
2. Return the statement to the adult with whom the applicant (child) applying for a Danish residence permit will live

A. Request for a statement from the municipality for use when applying for family reunification with a child

PLEASE COMPLETE IN CAPITAL LETTERS

A child is applying for a Danish residence permit in order to live with me.

1. The child has the following data:

Name	Date of birth
------	---------------

2. I have the following data:

Name

Address

CPR number

In order to obtain a residence permit it is normally required, that I have not received public assistance under the terms of the Active Social Policy Act or the Integration Act until the applicant obtains a permanent residence permit, cf. Aliens Act sec. 9 (15) (sec. 9 (20)).

As part of the child's application for a residence permit, I am hereby requesting the municipality to fill out and sign the attached statement and return it to me at the address above.

Date and place	Signature
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B. Statement from the municipality regarding the receipt of public assistance, to be used as part of an application for family reunification with a child, cf. sec. 9 (15) of the Aliens Act (sec. 9 (20)).

As part of an application for family reunification with a child the municipality is requested to state whether the adult with whom the child will live in Denmark has received public assistance. Please mark the statement that applies.

1. Has NOT received public assistance

The adult with whom the child will live has not received public assistance under the terms of the Active Social Policy Act or the Integration Act (please fill in the name and CPR number of the person in question).

(mark with an X)

☐ (name) _____, (CPR number) _____

2. Has received public assistance

The adult with whom the child will live has received public assistance under the terms of the Active Social Policy Act or the Integration Act (please state the name and CPR number of the person in question and answer the questions below).

(mark with an X)

☐ (name) _____, (CPR number) _____

	Payment 1	Payment 2	Payment 3	Payment 4
Under which provision was the payment made?				
Amount of payment				
Date of payment				
Was the payment to be used as an income supplement - includes:				
a. Subsistence payments	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
b. One-time payment to help cover outstanding bills	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
If yes, please state which type of bill.				
Was the payment a form of salary or pension or was it a replacement for such?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
Comments				

For the Danish Immigration Service's case journal, the municipality is asked to state the name and date of birth of the child applying for a residence permit (name and date of birth are stated in section A.1 of the request):

Name: _____, Date of birth: _____

Date and place

Municipal seal and signature

Checklist

It is important that you make certain that the forms are filled out correctly and that you have attached the necessary documents before submitting the application.

Before submitting your application, please ensure you have included the following documents:

- ☐ Documentation proving that you have custody of the child (copy with authorised translation to Danish or English).
- ☐ Statement from your municipality (kommune) of residence regarding public assistance (Attachment 2).
- ☐ Documentation of adequate housing.
- ☐ Documentation of any serious illness or disability of the parent (if applicable).
- ☐ Documentation of how often, where and when you have seen the applicant (child) in the past 2 years (if applicable).

It also important to

- ☐ answer all questions, and
- ☐ sign and date section 7.

Finally, it is important that

- ☐ your spouse/partner has signed attachment 1 (Sworn declaration that he/she has not been convicted of crimes against minor children) – if applicable.

For official use only: Checklist

Have all questions been answered?	☐ Yes	☐ No
Has the form been signed by the reference?	☐ Yes	☐ No
Has the municipality filled attachment 2 about public assistance?	☐ Yes	☐ No
Has documentation for housing situation been included? Ex. copy of rental agreement, share certificate (andelsbevis), or deed	☐ Yes	☐ No
Has attachment 1 been signed by the reference's spouse/partner? (if applicable)	☐ Yes	☐ No