

Application form

IN2_en_150620

Application for permission to live privately with a spouse (Section 42 I (3) of the Danish Aliens Act)

Uses

This form can be used to apply for permission to live outside an asylum centre with your spouse who is a resident in Denmark (residing privately). You must live at an asylum centre until the Danish Immigration Service has finished processing your application.

If you are not already living at an asylum centre, you must move into Center Sandholm if you wish for the Immigration Service to support you, even if you have submitted this application.

Instructions

- Fill in and sign this form (follow the instructions in the form).
- Fill in and sign the contract (Appendix 1).
- Submit the application by sending it to the Immigration Service (see contact information at the bottom of this page).

What documents should I enclose?

You must verify your marriage to your spouse who is resident in Denmark. It is therefore important that you enclose:

- A copy of your original marriage certificate

If your marriage certificate is not in Danish or English, you must also include:

- An authorised translation into Danish or English.
- Other relevant documentation for your marriage e.g. marriage contract, certificate concerning registration at the civil authorities or similar.

If you do not enclose an authorised translation of your marriage certificate, the Immigration Service will send your marriage certificate for translation. Note: This can increase the processing time.

If you receive permission

Your spouse must support you and pay for your healthcare costs.

If you and your spouse have any accompanying children together who do not have a Danish residence permit, your spouse must also support them and pay for their healthcare costs.

If your spouse cannot support you and your children, if applicable, you can contact the municipality where you are residing if you are residing legally in Denmark. In this connection, you should be aware that certain types of residence permits are conditional upon that you do not receive social benefits under the terms of the Active Social Policy Act or the Integration Act. Receiving social benefits may also affect the possibility of obtaining permanent residence permit. Your spouse must therefore be aware that it may affect the person's residence in Denmark if the municipality pays social benefits under the terms of the Active Social Policy Act or the Integration Act.

You should also be aware that, as a starting point, there is a requirement for family reunification in Denmark that the sponsor has not received social benefits under the terms of the Active Social Policy Act or the Integration Act in the last three years.

Your spouse's obligation to support you ends if your marriage ceases due to separation or divorce.

Processing of your data

The Immigration Service will process information about you in relation to your application. In the folder 'Information about the processing of personal data related to your accommodation' you can read more about our processing of data and about your rights.

The folder was handed out to you when you were accommodated at an asylum center. If you have lost the folder, you can get a new one at your asylum center or find it via www.newtodenmark.dk/gdprfolder

Terms and conditions

You must have submitted an application for asylum. If your asylum case is still being processed, you must continuously co-operate with the Immigration Service to process your application. If your request for asylum has been rejected or you have withdrawn your application and are awaiting deportation, you must continuously assist with your deportation.

You must have entered into a valid marriage with a person who is a legal Danish resident.

You will not receive permission to live privately with your spouse if you have been expelled by court, have been granted 'tolerated stay', have been expelled in accordance with Section 25 of the Aliens Act (administrative expulsion), are covered by the grounds for exclusion in the Refugee Convention, have been sentenced to mandatory or suspended custodial sentence or other criminal sanction that implies or allows for detention for a crime committed in this country which would have resulted in a punishment of this character, if your residence permit has lapsed pursuant to section 21b (1) of the Aliens Act, or if your application for asylum is being treated as manifestly unfounded.

Your spouse's address in CPR

Your spouse must be registered in the Civil Registration System (CPR) at the address stated in the application.

We will verify your spouse's address in CPR. If your spouse is not registered at the address stated in the application, we cannot enter a contract with you for permission to live privately at the address.

Obligation to provide information

You are required to give the Danish authorities the necessary information about your personal and marital status for the application to be processed. If subsequent

changes occur in your residential or marital status, you must notify the immigration authorities. For example if you move to another address or if you get separated or divorced.

Contract with the Immigration Service

You must enter into a contract with the Immigration Service specifying the conditions under which you may move in with your spouse. The contract is attached as Appendix 1 to this application. The contract specifies the conditions that must be met for you to be granted permission to reside privately. When the Immigration Service has received your part of the contract with your signature, we will contact you to explain the terms of the contract.

Approval period

Permission to move in with a spouse is valid until you leave Denmark or receive a residence permit and begin the integration process.

Permission will be revoked if you no longer qualify or you fail to live up to the terms of your contract, for example, if you fail to co-operate to help process your application or to assist with your deportation.

Approving your marriage

If we cannot verify that you have entered into a valid marriage with your resident spouse – for example if you were not both present at the wedding ceremony – we will process your application to live privately with your spouse as an application to live privately with friends or family.

A number of requirements must be met for you to be approved to live privately with friends or family, besides the terms concerning you assisting with your asylum case, co-operating with your deportation, not being expelled, not being granted tolerated stay etc.

You must have lived in Denmark for at least 6 months after submitting your application for asylum, and the Immigration Service must have decided that you can stay in Denmark while the asylum case is being processed (Phase 2).

An additional requirement is that the privately owned residence must be a suitable place for you to live. This means that the number of people living in the residence must not exceed two people per room, or that there must be at least 20 square metres available per person.

It is also a requirement that the residence is not placed in a municipality that is not receiving refugees in accordance with the Integration Act. From 1 January 2020 the following municipalities are not receiving refugees:

- Albertslund, Bornholm, Brøndby, Egedal, Frederikshavn, Guldborgsund, Halsnæs, Hjørring, Høje-Taastrup, Hørsholm, Ishøj, Jammerbugt, Kerteminde, Køge, Læsø, Mariagerfjord, Morsø, Rudersdal, Rødovre, Skanderborg, Tårnby, Vallensbæk and Aalborg.

For a faster reply

Your application will be processed faster if all the boxes in the application form are filled in. It is therefore important that you fill in the form carefully and provide the information we need to process the application.

For more information

More information about the rules governing asylum 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

Application for permission to live privately with a spouse

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1. Information about you and your spouse PLEASE COMPLETE IN CAPITAL LETTERS

Your name	
Personal ID	Date of birth (dd-mm-yyyy)
Address	
Postal code	City/town
Telephone number	
Accompanying family members (children etc.), if applicable	
Name:	Personal ID
Name:	Personal ID
Name:	Personal ID
Spouse's name	
CPR number	
We will verify your spouse's address in CPR. If your spouse is not registered at the address stated below, we cannot enter a contract with you for permission to live privately at the address.	
Address	
Postal code	City/town
Telephone number	

2. Information about the residence you will live in PLEASE COMPLETE IN CAPITAL LETTERS

How large is the residence (measured in m ²)	Number of rooms
How many people live in the residence already?	
Is there access to kitchen / bath / toilet? <input type="checkbox"/> Yes <input type="checkbox"/> No	Is there connected water / electricity / heating in the home? <input type="checkbox"/> Yes <input type="checkbox"/> No

3. Documentation of marriage PLEASE COMPLETE IN CAPITAL LETTERS

You must enclose a copy of your original marriage certificate and an authorised translation into Danish or English, if the marriage certificate is not in Danish or English. If you have no documentation of your marriage, you must explain why you have no such documentation and explain where and when the wedding ceremony took place. You must also state whether you were present at the wedding ceremony.

The following documentation for the marriage is enclosed:

- A copy of the original marriage certificate
- An authorised translation of the marriage certificate into Danish or English
- Other relevant documentation for your marriage e.g. marriage contract, certificate concerning registration of marriage at the civil authorities or similar. State which documentation is attached:

If you cannot provide the above documentation, please explain why:

Where and when did the wedding ceremony take place:

Were you and your spouse both present at the time of the wedding ceremony? Yes No

If no, state who was present and comments, if applicable:

4. Information about co-operation

PLEASE COMPLETE IN CAPITAL LETTERS

It is a requirement for approval to live privately with your spouse that you co-operate continuously to help process your application and that you, if you have received a final rejection of your application for asylum or have withdrawn your application, assist continuously with your deportation without undue delay.

Fill out Section 4.A if your asylum application is being processed (Phase 2).

Fill out Section 4.B if your application for asylum has been rejected or withdrawn.

You must co-operate both at the time of applying to live privately with your spouse and while living with your spouse.

If you stop co-operating, you will no longer be entitled to live with your spouse.

4.A If your application for asylum is being processed (Phase 2)

If your application for asylum is still being processed, you can obtain permission to live with your spouse if you co-operate to help process your application, such as by attending meetings held by the immigration authorities.

Are you co-operating to help process your application? Yes No

If **no**, you must explain why:

4.B If your application for asylum is rejected or you have withdrawn your application for asylum

If you have received a final rejection of your application for asylum and a date for leaving Denmark has been set, or you have withdrawn your application for asylum and are awaiting deportation, you can obtain permission to live with your spouse if you assist with your deportation, such as by co-operating with the issuance of travel documents.

Are you assisting with your deportation? Yes No

If **no**, you must explain why:

5. Special circumstances

PLEASE COMPLETE IN CAPITAL LETTERS

Your spouse must support you and your accompanying children, if applicable and pay for your healthcare costs. This means that you will receive no cash allowance in accordance with Section 42 b of the Aliens Act and that you are not entitled to receive necessary healthcare from the Immigration Service.

If we assess that you have not entered into a valid marriage with your spouse who is residing in Denmark, we will assess if you meet the requirements for living privately with family/friends. If you have children together under the age of 18 and the host with whom you are to live with is their parent, the host will generally have the obligation to support the children. This means that you will not receive caregiver allowance under the terms of the Aliens Act section 42 b and the children are not entitled to receive necessary healthcare from the Immigration Service.

Below please state any special circumstances why responsibility for supporting you financially should not be transferred to your spouse.

Reason:

6. Declarations and notifications

A. Sworn declaration of correctness

I 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:

- I can be sentenced with a fine or imprisonment for up to six months
- I can be sentenced to repay the expenses incurred by the Danish state as a consequence of the incorrect information
- my approval to live privately may be revoked

B. Declaration of consent – release of information required for processing my application

I consent to allowing the Danish immigration authorities to obtain and release information about my private affairs if it is necessary in order to process this application. 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 me.
- My family relations.
- Verification that the documents submitted with my application are authentic.

C. Notification that information can be released to Danish intelligence agencies and prosecuting authorities

The information and documentation you submit with your application can be passed on to the Danish intelligence services and the Danish prosecution service (Sections 45 a and 45 c of the Aliens Act). This may occur on the initiative of the immigration authorities or on the initiative of the intelligence services or the Danish prosecution service.

The prosecuting authority will use the information to evaluate whether there are grounds for prosecuting you for crimes committed in or outside Denmark, to identify victims or witnesses to a specific crime or to assist foreign police.

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

The information you submit when applying to live privately will be entered in the Danish Immigration Service's registers.

You are entitled to access to the information about you in the Immigration Service's registers. Enquiries about this can be addressed to the Danish Immigration Service, Farimagvej 51A, 4700 Næstved.

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

The authenticity of the information you have supplied in connection with your application may be verified by the Immigration Service. This may take place while dealing with your application or later when you have entered into a

contract with the Immigration Service on living privately. If you have entered into a contract with the Immigration Service about living privately and the Immigration Service discovers that you no longer meet the requirements, the Immigration Service will decide that you must move to an asylum centre.

Verification may be conducted at random and is not necessarily an indication that you are suspected of providing false information, or of not meeting the requirements of your approval.

Verification may involve the following:

- Checking public registers, such as the Immigration Service’s registers on residence and allowance payments.
- Comparison of information contained in the Immigration Service’s registers, such as the Aliens Register with records held by the Central Office of Registration (CPR office), the Buildings and Housing Register (BBR) and the income registries (eIndkomst).
- Contacting other authorities, such as municipalities.
- Contacting third parties, such as employers.
- Turning up in person at your residence or workplace.

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

7. Applicant’s signature

By signing below, I confirm that I have understood and accepted the terms laid out in Section 6.A-B and that I have understood the terms laid out in Section 6.C-E and the guidance on page 1.

Date	Applicant’s signature
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8. Spouse’s signature

I confirm that I have read the guidance on page 1, including the guidance on the consequences of receiving social benefits under the terms of the Active Social Policy Act or the Integration Act, and am aware that I must support the applicant and accompanying children, if applicable, including paying for their healthcare costs.

I give my permission for the Immigration Service to obtain information about my home and household from the CPR register.

I also consent to allowing the Immigration Service access to check the CPR register, Aliens Register and the Immigration Service’s internal registers in order to verify the basis for my residence in Denmark in connection with processing the application for living privately with me.

I also consent to allowing the information that the applicant is residing with me to be released to other authorities.

I am aware that I am entitled to access to information registered about me.

Processing of your data

The Immigration Service will process information about you in relation to this application. You can read more about our processing of data and about your rights at www.newtodenmark.dk/personaldata

Date	Place	Spouse’s signature
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Have you remembered everything?

The Danish Immigration Service can process your application faster if it is correctly filled in and contains the required documents.

It is therefore important that you fill in the form carefully and provide the information we need to process the application.

We recommend using the checklist below before submitting the application.

Checklist

Before submitting the application it is important to check that you have enclosed the following (tick as appropriate):

- Copy of the original marriage certificate
- Authorised translation of the marriage certificate into Danish or English

It is also important to:

- answer all questions
- sign and date Sections 7-8
- fill out, sign and date the first and second page of the contract (Appendix 1)

Appendix 1: Contractual agreement about granted permission to live privately/live privately with a spouse

To be filled in and signed by the applicant.

This contract concerns the terms and conditions for permission to live privately for:

Name	Personal ID
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Accompanying family members:

Name	Personal ID
------	-------------

Name	Personal ID
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Name	Personal ID
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With spouse/host:

Spouse's/host's name	CPR number
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At (address):

Address	Postal code	City/town
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Telephone number

The Danish Immigration Service hereby permits the above-mentioned applicant and his/her above-mentioned family members to reside privately at the above-mentioned address.

The applicant and his/her above-mentioned family members over the age of 18 are verbally notified that the contract has been entered into under the following conditions:

1) The applicant and his/her accompanying family members over the age of 18 must continuously co-operate to help with processing the asylum application, and – if the applicant receives a final rejection or if the application is withdrawn – must continuously assist with the deportation process.

The applicant has been notified that co-operation for example means that the applicant and family members above the age of 18:

- must attend scheduled meetings with the authorities.

The applicant has also been notified that if his/her application for asylum is still being processed, co-operation involves the applicant and accompanying family members over the age of 18:

- making statements,
- handing over the documents that he/she brought to Denmark, or that he/she can reasonably be expected to obtain without revealing his/her whereabouts to officials in his/her home country,
- taking a language test, age determination examination, torture examination, as well as other evaluations, and
- consenting to allowing immigration authorities to obtain the individual's previous asylum cases in other European countries.

Finally the applicant has been notified that if he/she receives a final rejection of the application for asylum, co-operation involves the applicant and members of the household over the age of 18

- signing a statement pledging to assist with his/her deportation,
- providing the police with the necessary information to allow them to obtain travel documents,
- if necessary, meeting with officials from his/her home country's embassy in Denmark in order to obtain travel documents, and if necessary, meeting with a delegation from his/her home country for identification purposes.

The applicant has also been notified that enquiries from the immigration authorities to the applicant and family members over the age of 18 will be sent the above-mentioned address. If the individual(s) in question do not respond to such enquiries, including meeting notifications, depending on the circumstances, this can be considered a lack of co-operation and result in the individual(s) having to move back to an asylum centre.

- 2)** The applicant and accompanying family members cannot, at any time:
- have been expelled in accordance with Section 25 of the Aliens Act (administrative expulsion), because the person is considered as a danger to national security or a serious threat to public order, safety or health,
 - have been expelled by court,
 - have been sentenced to mandatory or suspended custodial sentence or other criminal sanction that implies or allows for detention for a crime committed in this country which would have resulted in a punishment of this character,
 - have been covered by the grounds for exclusion in the Refugee Convention, e.g. because the person has committed a crime against peace or humanity, a war crime or a serious crime of a non-political nature outside the country fled to before the person got access to it as a refugee, or has been guilty of actions in violations of UN's goals and ground principles,
 - have been covered by the rules regarding lapsing in section 21b of the Aliens Act, because the person has left Denmark and has participated in activities abroad that threaten, or have the potential to threaten, national security, the public order or the security of other states, or
 - have the asylum application processed according to section 53b of the Aliens Act (the manifestly unfounded procedure).

This means among other things, that the person cannot be approved to move into a private residence, if he/she is on a 'tolerated stay'.

3) The applicant is obliged to notify the Immigration Service if his/her residence or marital status changes. This can be the case if e.g. the host moves to a new address or the applicant gets separated or divorced.

4) If the terms and conditions are not observed, the applicant and any accompanying family members lose the right to live privately with the host. The Immigration Service will then decide which asylum centre the individual(s) in question must move to.

Date	The applicant's signature
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Date and signatures of members of the household who are over 18 years of age:

Date	Person 1 signature
Date	Person 2 signature
Date	Person 3 signature

Date	Immigration Service signature	Initials
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Stamp (Immigration Service)

Appendix 2: For official use only

Before entering into the contract with the applicant the Danish Immigration Service has provided the applicant with thorough guidance about the following:

- approval is valid until the applicant and accompanying family members leave Denmark or are granted residence and begin the integration process,
- the applicant and accompanying family members should expect to move back to an asylum centre if the applicant or accompanying family members over the age of 18 no longer meet the requirement to continuously co-operate and help process the application and to continuously assist with the deportation without undue delay if the applicant receives a final rejection or if the asylum application is withdrawn,
- the applicant and accompanying family members should expect to move back to an asylum centre if the applicant or accompanying family members over the age of 18 no longer meet the requirements and the other conditions in this contract for living privately,
- the applicant and accompanying family members will lose the right to continue to live privately if the applicant or an accompanying family member has been expelled in accordance with Section 25 of the Aliens Act (administrative expulsion), is covered by the grounds for exclusion in the Refugee Convention, is covered by the rules regarding lapsing in section 21b (1) of the Aliens Act, has been sentenced to mandatory or suspended custodial sentence or other criminal sanction that implies or allows for detention for a crime committed in this country which would have resulted in a punishment of this character, is granted a tolerated stay or has his/her asylum application processed according to section 53b of the Aliens Act (the manifestly unfounded procedure),
- enquiries from the immigration authorities to the applicant and accompanying family members will be sent to the above-mentioned address and if the applicant or accompanying family members over the age of 18 fail to respond to meeting notifications etc. sent to this address, this may have a negative effect on the process and, depending on the circumstances, may be considered lack of co-operation,
- the importance of the applicant's and accompanying family members' names being clearly stated on the intercom at the door/main door/post box/list of tenants in the building, so their mail may be distributed to the address, and
- the applicant has a duty to notify the Immigration Service if the applicant or his/her accompanying family members' residence or marital status changes. For example by moving to another address or by getting separated or divorced.
- An interpreter in _____ was used during the guidance session. The Immigration Service assured that the applicant and interpreter understood each other.

Living privately with the spouse:

Dispensation for the spouse's duty to support the applicant:

Yes, dispensation granted. Reason: _____

The applicant has been notified that he/she and his/her accompanying family members while living privately can receive medical treatment and collect their cash allowance at the following centre:

Centre _____, address _____,

telephone number _____

No, dispensation denied. The applicant and spouse have been verbally notified that the spouse must support the applicant and their accompanying children, if applicable, and this means that the applicant will not be given cash allowances under the terms of the Aliens Act section 42 b and that the applicant and accompanying children, if applicable, are not entitled to receive necessary healthcare from the Immigration Service.

Living privately with family/friends:

The applicant has been notified that he/she and his/her accompanying family members while living privately can receive medical treatment and collect their cash allowance at the following centre:

Centre _____, address _____,

telephone number _____

Living privately where the applicant has children under the age of 18 with the host:

The applicant and the host have been verbally notified that the host has to support accompanying children under the age of 18, if applicable, and that this means that caregiver allowance will not be given to these children. Furthermore the children are not entitled to receive necessary healthcare from the Immigration Service.

Dispensation for collecting cash allowance in person:

Yes, dispensation granted. Reason: _____

No, dispensation denied.

Date	Signature	Initials	Stamp (Immigration Service)