

# Executive Order No. 98 of 28 January 2020 on Aliens' Access to Denmark on the Basis of a Visa

(The Visa Executive Order)

Pursuant to section 4e(3), section 39(2) and (3), section 44(1), section 46a(8), section 47(3), section 47a(1) and section 58d of the Aliens Act, i.e. Consolidation Act No. 1022 of 2 October 2019 and as agreed with the Minister for Foreign Affairs, it is stipulated:

## Part 1

### *Visa requirement and visa exemption*

**1.** Aliens must have their passport or other travel document endorsed with a visa before entering Denmark unless they are exempt from visa requirements, see section 2.

**2.** The following groups of aliens are exempt from visa requirements:

- 1) Nationals of Finland, Iceland, Norway and Sweden, see section 1 of the Aliens Act.
- 2) Aliens who are nationals of a country which has acceded to the European Union or is comprised by the Agreement on the European Economic Area, see section 2 of the Aliens Act, or nationals of Switzerland.
- 3) Aliens who hold an EU residence card issued by another Schengen country.
- 4) Aliens who, based on their family relationship with an EU citizen, otherwise hold an EU residence card issued by a country which has not acceded to the Schengen convention, when they accompany or join the EU citizen.
- 5) Aliens holding residence permits or long-term visas issued by another Schengen country who – under article 21(1) or (2) of the Schengen Convention – are exempt from visa requirements prior to their entry.
- 6) Aliens who are exempt from visa requirements under the rules of the European Union.
- 7) Aliens who are nationals of a country with which Denmark has concluded an agreement on visa exemption, see section 39(2) of the Aliens Act.
- 8) Aliens who belong to a special group of aliens who are exempt from visa requirements according to a decision made by the Minister for Immigration and Integration, see section 39(2) of the Aliens Act.

## Part 2

### *Validity of visas*

**3.** A visa is issued with validity for all Schengen countries, but see sections 19, 20, and 21(1), third sentence, and 21(3), second sentence.

**4.** A visa valid for all Schengen countries is issued as:

- 1) A uniform visa, valid for one, two or multiple entries for the purpose of staying in the Schengen countries or transiting through the Schengen countries where neither the duration of a continuous stay nor the combined duration of several successive stays in Denmark and the other Schengen countries may exceed 90 days in any 180-day period, which entails considering the 180-day period preceding each day of stay, or
- 2) An airport transit visa entitling the holder to transit through the international transit areas of airports in the Schengen countries, but not to enter the Schengen countries.

## Part 3

### *Application for a visa*

**5.** Visa applications must be submitted in accordance with the rules set out in the Regulation of the European Parliament and of the Council Establishing a Community Code on Visas (Visa Code) as subsequently amended.

**6.-(1)** When Denmark is the competent state under the rules of the Visa Code, an application for a visa may be submitted to Danish diplomatic or consular missions which are authorised to handle visa applications.

(2) An application for a visa under subsection (1) can also be submitted to another Schengen country's diplomatic or consular missions abroad which are authorised to handle visa applications on behalf of Denmark under section 47(2), second and third sentences, of the Aliens Act. When a visa application is handled by a mission of another Schengen country, the rules in this executive order do not apply.

(3) In addition, an application for a visa may also be submitted through a private company or organisation which has an agreement with a Danish mission or the Danish Ministry of Foreign Affairs regarding certain administrative duties in connection with the visa administration. A private company or organisation can receive and set up visa applications and handle tasks as regards taking fingerprints, but it cannot decide on a visa application.

(4) In countries where Denmark has set up travel agency and tourist arrangements, see Annex 1, an application for a visa under subsection (1) may also be submitted through a travel agency that has been accredited with such an arrangement. An accredited travel agency can only receive visa applications with a view to forwarding the applications to a Danish mission.

(5) In the special cases where the Danish Immigration Service can issue a visa at the border under section 21, the application must be submitted to the Danish Immigration Service. However, the application may be submitted to the police, if the Danish Immigration Service has made provisions for this.

**7.-(1)** An application for a visa will only be processed if the application is admissible in accordance with the Visa Code, see subsections (2)–(7).

(2) The application may not be submitted until six months before the start of the expected trip and, as a general rule, not later than 15 days before the start of the expected trip. As regards seafarers performing their jobs, the application may not be submitted until nine months before the start of the expected trip and, as a general rule, not later than 15 days before the start of the expected trip. In individual justified urgent situations, applications may be submitted later than 15 days before the start of the expected trip. The application must be submitted after the expiry of any previously issued visa. However, the application may be submitted before the expiry of a previously issued visa if the previously issued visa is valid for multiple entries and has a validity period of at least six months.

(3) An application must be submitted using the application form printed as an annex to the Visa Code.

(4) The alien must submit a valid passport or another valid travel document. The travel document must – except in justified urgent situations – be valid for at least three months after the intended date of departure from the Schengen countries. The travel document must have been issued within the previous 10 years. The travel document must contain at least two blank pages.

(5) A photograph of the alien must be scanned or taken in connection with the submission of the application.

(6) The fingerprints of the alien must be taken unless the alien is exempt from this demand or their fingerprints have been taken within the past 59 months in connection with a previous visa application.

(7) A fee for the visa application must be paid unless the alien is exempt from this under the Visa Code.

(8) Subsection (2), subsection (4), second and third sentences, and subsection (7) do not apply to visa applications submitted by aliens covered by the EU rules, see section 9.

(9) Notwithstanding subsections (2)–(7), an application may, in exceptional situations, be processed for humanitarian reasons or reasons of national interests.

#### Part 4

##### *Basic considerations when processing and deciding on an application for a Schengen visa*

**8.-(1)** A Schengen visa will be granted unless there are grounds for refusing the application under the rules of the Visa Code, see subsection (2).

(2) An application for a Schengen visa will be refused in the following situations:

- 1) If the alien presents a travel document which is false, counterfeit or forged.
- 2) If the alien does not provide justification for the purpose and conditions of the intended stay.
- 3) If the alien fails to provide proof that they have sufficient means of subsistence for the duration of the intended stay or for the return to their home country or country of residence, or for the transit to a third country into which they are certain to be admitted.
- 4) If the alien fails to provide proof that they are in a position to lawfully acquire means of subsistence for the duration of the intended stay or for the return to their

home country or country of residence, or for the transit to a third country into which they are certain to be admitted.

- 5) If the alien has already stayed in the Schengen countries for 90 days within the current period of 180 days on the basis of a Schengen visa or a visa with limited territorial validity.
- 6) If the alien is a person for whom an alert has been issued in the Schengen Information System (SIS II) for the purpose of refusing entry.
- 7) If the alien is considered to be a threat to the Schengen countries' public policy or internal security, in particular where – on the same grounds – an alert has been issued about the person concerned in the Schengen countries' national databases for the purpose of refusing entry.
- 8) If the alien is considered to be a threat to the Schengen countries' public health, in particular where – on the same grounds – an alert has been issued about the person concerned in the Schengen countries' national databases for the purpose of refusing entry.
- 9) If the alien is considered to be a threat to the Schengen countries' international relations, in particular where – on the same grounds – an alert has been issued about the person concerned in the Schengen countries' national databases for the purpose of refusing entry.
- 10) If there are reasonable doubts as to the reliability of the information submitted by the applicant to account for the purpose and terms of the expected stay.
- 11) If there are reasonable doubts as to the reliability of the statements made by the applicant.
- 12) If there are reasonable doubts as to the reliability and authenticity of the supporting documents submitted by the applicant or the veracity of their contents.
- 13) If there are reasonable doubts as to the alien's intention to leave the Schengen countries before the expiry of the visa applied for.
- 14) If the alien has applied for a visa at the border but has not provided sufficient proof that it has not been possible to apply for a visa in advance.
- 15) If the alien does not submit documentation of the purpose and conditions of the expected airport transit.
- 16) If the alien does not provide proof of holding adequate and valid travel medical insurance.
- 17) If the holder of the visa has requested revocation of the visa.

(3) Subsection (2), paras. (3), (4) and (16), do not apply to aliens covered by the EU rules, see section 9. Subsection (2), paras. (1), (2), (5)–(15) and (17), only apply to the aliens mentioned in the first sentence in so far as this is consistent with the EU rules.

(4) Subsection (2), para. (16), does not apply to holders of diplomatic passports.

(5) When a visa is applied for at the border, see section 21, the authorities may derogate from subsection (2), para. (16), if travel medical insurance cannot be obtained at the border crossing point or for humanitarian reasons.

**9.-(1)** The following family members of a person (the principal person) who is a national of a country which has acceded to the European Union or is covered by the Agreement on the European Economic Area, or is a national of Switzerland, and who has a right to enter and to stay in Denmark, see section 2(4) of the Aliens Act, have the right to have an application for a visa processed under the EU rules:

- 1) The spouse of a principal person.

- 2) Direct descendants under the age of 21 of either the principal person or of the principal person's spouse.
- 3) Direct descendants over the age of 21 of either a principal person or of the principal person's spouse when they are dependent on the principal person or the principal person's spouse.
- 4) Relatives in the direct ascending line of either a principal person or the spouse of the principal person when they are dependent on the principal person or the spouse of the principal person.
- 5) Other family members of a principal person if they are dependent on the principal person or are members of the household of the principal person in the country from where they come.
- 6) Other family members of a principal person if serious health grounds strictly require the personal care of the family members by the principal person.

(2) A registered partner or a person over the age of 18 cohabiting with a principal person over the age of 18 in a shared residence in permanent cohabitation of prolonged duration ranks equally with a spouse.

(3) Subsections (1) and (2) also apply to family members of a Danish national (the principal person) whose family members have a right of residence in Denmark pursuant to EU law.

(4) Aliens covered by subsections (1)–(3) must be issued with a visa as soon as possible and on the basis of an accelerated procedure.

**10.-(1)** Insofar as the consideration of a visa application depends on the assessment of the authorities as to whether the alien has justified the purpose of the intended stay, see section 8(2)(2), the authorities will take into account, among other things, whether the alien has submitted relevant documentation, including the documentation listed in the implementing decisions from the EU Commission establishing the lists of supporting documents.

(2) Subsection (1) only applies to nationals from countries with which Denmark has a bilateral agreement on visa facilitation insofar as it is in compliance with the provisions in the visa facilitation agreement.

**11.** In connection with an application for a visa with a view to visiting a company in Denmark which has been pre-approved by the Danish Immigration Service for the purpose of receiving visits from business partners, an invitation from the company will usually be regarded as sufficient documentation for the purpose of the stay, see section 10(1).

**12.** When an application for a visa is submitted by an alien who is permanently linked to a company abroad which has been accredited by a Danish diplomatic or consular mission with a view to conducting business trips to Denmark, the documentation listed in the guidelines for the local accreditation arrangement will be regarded as sufficient documentation for the purpose of the stay, see section 10(1).

**13.-(1)** When assessing whether an alien meets the conditions for the intended stay, see section 8(2)(2), the authorities will among other things check that the alien holds a passport or other travel document which is recognised by Denmark.

(2) The authorities also check that the alien's passport or other travel document fulfils the conditions laid down in section 7(4) and that the document is valid for re-entry into the country of issue. The requirements as regards the temporal validity of the

passport or other travel document can be waived in justified urgent situations if the validity of the passport or other travel document is longer than the validity of the visa and makes it possible for the alien to return to the country of issue before the expiration of the travel document.

(3) If the alien's travel document has been issued by another country than the country of origin, the authorities will also check that the alien has a re-entry permit to the country that has issued the travel document and that the re-entry permit is valid for at least three months after the intended date of departure from the Schengen countries. The authorities may waive this requirement on the same terms as those mentioned in subsection (2), second sentence.

(4) If the alien has permanent residence in another country than the country of origin, the authorities will also check that the alien is in possession of a re-entry permit to the country of residence which is valid for at least three months after the intended date of departure from the Schengen countries. The authorities may waive this requirement on the same terms as mentioned in subsection (2), second sentence, or if there are no doubts as to the alien's intentions to depart the Schengen countries in accordance with a visa issued, and the alien actually has the possibility to return to the country of origin after the visa stay.

**14.-(1)** For the purpose of the assessment of whether an alien constitutes a threat against the Schengen countries' public policy, internal security, public health or international relations, see section 8(2), paras. (7), (8) and (9), authorities of the other Schengen countries will be consulted in accordance with the rules of the Visa Code.

(2) The intelligence services may also be heard in connection with the assessment under subsection (1).

**15.-(1)** The requirement of an adequate and valid travel medical insurance, see section 8(2), para. (16), has been complied with if the alien is in possession of travel medical insurance that will cover any expenses which might arise in connection with repatriation for medical reasons or death, urgent medical treatment and emergency hospital treatment during the alien's intended stay. The travel medical insurance must cover all the Schengen countries and cover the entire duration of the intended stay or transit. The minimum insurance coverage required is EUR 30,000. If the visa application covers more than two entries into the Schengen countries, the travel medical insurance only needs to cover the first intended entry into and stay in the Schengen countries. In such cases, the person concerned must sign the statement set out in the visa application form declaring that they are aware of the need to be in possession of travel medical insurance for subsequent entries into and stays in the Schengen countries.

(2) Irrespective of subsection (1), the authorities may consider the travel medical insurance requirement to have been met where it is established that an adequate level of insurance may be presumed in the light of the applicant's professional situation.

(3) In connection with a visa application submitted at the border, the authorities may waive the travel medical insurance requirement where such insurance is not available at that border crossing point or for humanitarian reasons.

**16.-(1)** Insofar as the assessment of a visa application depends on the authorities' evaluation of whether the alien intends to leave the Schengen countries before the expiry of the visa applied for, see section 8(2)(13), the authorities will take into account the available information regarding the alien's situation in the country of origin,

any previous visits to Denmark or other Schengen countries, the purpose of the intended visit, and any relations to persons living in Denmark. The authorities also attach importance to information about the general conditions in the alien's country of origin and known immigration patterns.

(2) The alien may be granted a visa if, based on an evaluation of the information mentioned in subsection (1), the authorities find that there are no doubts as to the alien's intentions to depart the Schengen countries before the expiry of the visa.

(3) Information about the alien's previous visits, if any, to Denmark or other Schengen countries within recent years prior to the current application must be taken into account in the assessment under subsection (1). This covers information on previous problem-free visits as well as information of previous abuse of the rules on entries and stays.

(4) When assessing the general conditions in the alien's country of origin and known immigration patterns, the authorities attach importance to which of the main groups listed in Annex 2 the alien belongs to, and importance may also be attached to regional differences with regard to the risk of immigration.

(5) The authorities may derogate from subsection (4) if the alien has had their habitual, legal residence for a number of years in a third country other than the country of nationality, and the alien can return to this country after the visa stay.

(6) Irrespective of the provisions set out in subsections (3)–(5), a visa may be granted if warranted by quite extraordinary circumstances concerning the alien or a close relative living in Denmark.

**17.** When applying for a visa in connection with the purchase of a package tour through a travel agency that has been accredited under a travel agency arrangement or a tourist arrangement, see Annex 1, a visa may be granted for a stay of up to 30 days, irrespective of the provision set out in section 16(4).

## Part 5

### *Limitation of a visa's validity in time*

**18.-(1)** A visa is granted for a certain number of days with due consideration to the purpose of the visit.

(2) If the conditions for granting a visa are fulfilled for a period shorter than the period requested in the application, the validity of the visa is limited to the period in which the conditions are fulfilled.

## Part 6

### *Issuing of a visa with limited territorial validity*

**19.** If the alien's passport or other travel document is only valid for travelling to Denmark and one or more other Schengen countries, the validity of the visa is limited to the Schengen country or Schengen countries that recognise the passport or the travel document.

**20.-(1)** Irrespective of the provisions in section 8(2), paras. (2)–(4), (6)–(9) and (16), section 13(1) and section 14, a visa may be granted when warranted by humanitarian considerations, reasons of national interest or international obligations; the visa

being limited to entry into and stay in Denmark. Information on visas issued under the first sentence must be circulated to the other Schengen countries.

(2) In exceptional situations, visas issued under subsection (1) may be issued with validity for Denmark and one or more other Schengen countries if the other Schengen countries in question have consented to this.

(3) Notwithstanding that an alien may have already stayed in Denmark or another Schengen country on the basis of a visa or based on visa exemption for 90 days within the last 180 days, see section 8(2)(5), a visa may be granted in justified cases; the visa being limited to entry into and stay in Denmark.

## Part 7

### *Issuing visas at the border*

**21.** When particular reasons make it appropriate, the Danish Immigration Service may issue visas valid for a stay of up to 15 days and for one entry or transit visas at the border. A visa under the first sentence hereof may not be issued if such issue is conditional upon consultation of the authorities of other Schengen countries under the Visa Code. Irrespective of the provisions of the second sentence hereof, visas under the first sentence hereof may be issued when humanitarian considerations, reasons of national interest or international obligations make it appropriate; the visa being limited to entry into and stay in Denmark. Information on visas issued under the first sentence must be circulated to the other Schengen countries.

(2) Following consultation of the Ministry of Immigration and Integration, the Danish Immigration Service may also authorise entry into Denmark without a visa when warranted by humanitarian considerations, reasons of national interest or international obligations. Information on authorisations issued under the first sentence must be circulated to the other Schengen countries.

(3) The police may be authorised by the Danish Immigration Service to issue visas at the border in special cases, the visas being valid for a stay of up to 15 days and for one entry, or transit visas in accordance with subsection (1), first sentence. Subsection (1), second and third sentences, apply correspondingly. A visa under the first sentence hereof must not be issued if the alien is a person for whom an alert has been issued in the Schengen Information System (SIS II) for the purposes of refusing entry, or if the alien is subject to a ban on entry into Denmark.

(4) A refusal of an application for a visa at the border is made by the Danish Immigration Service in accordance with the rules set out in section 8.

## Part 8

### *Extension of an existing visa*

**22.-(1)** During an alien's stay in Denmark, the Danish Immigration Service may extend the alien's visa to cover a total stay of 90 days in case of force majeure or humanitarian considerations preventing the alien from leaving Denmark before the expiry of the validity period or the duration of the stay authorised by the visa.

(2) During an alien's stay in Denmark, the Danish Immigration Service may also extend the alien's visa to cover a total stay of 90 days if the visa holder presents proof of serious personal reasons justifying the extension of the validity period or the duration of the stay.

(3) An application for an extension must be submitted to the Danish Immigration Service before the expiry of the visa in question. If the applicant resides outside the Copenhagen or Western Copenhagen police districts, the application may also be submitted to the Danish Immigration Service through the police where the applicant is staying.

## Part 9

### *Annulment and revocation of a visa*

**23.** A visa may be annulled or revoked under the rules of the Visa Code where it becomes evident after granting of the visa that there are circumstances warranting a refusal of the visa application, see section 8(2).

**24.** A visa may be annulled where it becomes evident that the conditions for issuing it were not met at the time when it was issued, in particular if there are serious grounds for believing that the visa was fraudulently obtained.

**25.** An issued visa may be revoked if the conditions for issuing it are no longer met.

**26.** Where a visa issued by another Schengen country is annulled or revoked, the central authorities of that country must be informed thereof.

## Part 10

### *Application fees*

**27.-(1)** A fee will be charged in accordance with the Visa Code for the processing of an application for a visa.

(2) To process an application for a visa at the borders, the fee to be paid is DKK 600. For children aged 6-11, the fee is DKK 300. For children under the age of 6, no fee is charged. In case of flight delays, unforeseen flight route changes, emergency landings or similar circumstances no fee is charged. For the processing of cases under section 21(1), the fee is collected by the Danish Immigration Service. For the processing of cases under section 21(3), the fee is collected by the police. A receipt for payment will be issued to the applicant.

(3) For the processing of an application for an extension of a visa under section 22(1) or (2), the fee to be paid is DKK 225. If the application results in an extension of the visa under subsection (1), the fee will be repaid to the applicant. Charging a fee may be waived if there are no doubts that the application will result in an extension of the visa under subsection (1).

## Part 11

### *Division of the cases between the Danish Immigration Service and the Danish diplomatic and consular missions abroad*

**28.-(1)** Decisions in visa cases are made by Danish diplomatic or consular missions authorised to do so under section 47(2) of the Aliens Act by agreement between the Minister for Immigration and Integration and the Minister for Foreign Affairs, but see subsections (2)–(5) and sections 21 and 22.

(2) The Danish Immigration Service decides as the first authority in the following situations:

- 1) If there is a need for further investigation of persons, companies or organisations in Denmark with regard to establishing the purpose of the visit.
- 2) If the alien's travel document is not recognised by Denmark.
- 3) If the alien is a person for whom an alert has been issued in the Schengen Information System (SIS II) for the purpose of refusing entry.
- 4) If there are grounds for believing that the alien constitutes a threat to the Schengen countries' public policy, internal security, public health or international relations, including if there is a suspicion that the alien will commit a crime or work without the requisite permits during the stay, if an objection has been made against issuing a visa in connection with a consultation under section 14, or if the alien is registered on the sanction lists of the EU or the United Nations, or registered with an entry prohibition in the Danish Criminal Register, or is included on the list of foreign preachers, etc. who may be excluded from entry, see section 29c of the Aliens Act.
- 5) If there is a need for further investigation of persons, companies or organisations in Denmark with a view to establishing the credibility of the information or documentation submitted in support of the application.
- 6) If the alien has previously been to Denmark and there is a need for further investigation to establish whether the alien has violated the rules regarding entry and stay, including whether there are grounds for using the rules regarding penalty periods (visa bans), see section 4c of the Aliens Act. However, the Danish diplomatic and consular missions abroad may make decisions without consulting the Danish Immigration Service if a transgression of a previously issued visa was of brief duration within the validity period of the visa, see section 4c(2) of the Aliens Act.
- 7) If the alien has applied for a residence permit in Denmark, and the case is still pending.
- 8) If the alien has previously applied for family reunification with a spouse in Denmark and this application was refused based on a suspicion that it was a case of forced marriage or a pro forma marriage.
- 9) If the alien is a minor unless the issue of a visa is unobjectionable.
- 10) If there is otherwise a need for further investigation of the case and the Danish Immigration Service is in a better position to carry out these investigations than the diplomatic or consular mission where the application was submitted.

(3) The Danish Immigration Service also decides as the first authority in cases where there might be grounds for granting a visa with limited territorial validity apart from the cases mentioned in sections 19 and 20(3).

(4) The Danish Immigration Service also decides as the first authority where there might be grounds for refusing a visa application submitted by an alien who is covered by the EU rules or who claims to be covered by these rules, see section 9.

(5) The Danish Immigration Service may moreover decide as the first authority in cases covered by sections 23–25 if this is deemed appropriate.

## Part 12

### *Notification of refusals, annulments or revocations of visas*

**29.-(1)** A decision made by a Danish diplomatic or consular mission involving a refusal of an application for a visa or an annulment or a revocation of a visa already granted is communicated to the alien solely by using the standard form for notifying

and motivating decisions which is printed as an annex to the Visa Code, but see subsections (2) and (3). The same applies to a mission's decision regarding revocation of a visa in accordance with section 8(2)(17).

(2) A decision under subsection (1) which is based on objective demonstrable facts is drawn up in accordance with the general rules of the administrative laws regarding reasons for decisions when:

- 1) the alien has presented a travel document which is false, counterfeit or forged;
- 2) the alien has presented other false, counterfeit or forged documents in support of the application;
- 3) the alien does not submit documentation of the purpose and conditions of the expected airport transit;
- 4) if the alien has failed to provide proof that they are in a position to lawfully acquire means of subsistence for the duration of the intended stay, for the return to their country of origin or country of residence, or for the transit to a third country into which they are certain to be admitted, or if the alien has failed to provide proof that they are in a position to acquire such means lawfully and it is evident that there is no basis for derogating from the conditions set out in section 20(1); or
- 5) the alien has not provided proof of holding adequate and valid travel medical insurance and it is evident that the alien is not exempt from this requirement pursuant to section 8(3) or (4) or section 15(2).

(3) A decision under subsection (1) must be drawn up in accordance with the general principles of administrative law governing reasons given for decisions if the decision is primarily based on the assessment made by the mission under section 16(4).

(4) A decision to grant a visa, of which the validity is territorially or temporally limited in accordance with sections 18, 19 or 20(3), must be drawn up in accordance with the general rules of the administrative laws regarding reasons for decisions.

## Part 13

### *Rules concerning appeals*

**30.-(1)** Decisions made by Danish diplomatic and consular missions under section 28(1) which are conveyed to the alien in accordance with the rules in section 29(1) are considered to have been appealed against to the Danish Immigration Service.

(2) Decisions made by Danish diplomatic and consular missions under section 28(1) which are conveyed to the alien in accordance with the rules in section 29(2)–(4) may be appealed against by the alien to the Danish Immigration Service.

(3) Appeals under subsection (2) must be lodged with the Danish Immigration Service not later than eight weeks after the appellant received notification about the decision. In special circumstances, the Danish Immigration Service may decide to consider an appeal even though the appeal was lodged after expiry of the time limit referred to in the first sentence.

(4) Decisions made by the Danish Immigration Service under section 21(4), section 22(1)–(2) and section 28(2)–(5) may be appealed against to the Immigration Appeals Board.

(5) Irrespective of the provisions in subsections (1) and (4), decisions regarding revocation of a visa under section 8(2)(17) cannot be appealed against.

Part 14

*Entry into force*

**31.-(1)** This Executive Order enters into force on 2 February 2020.

(2) Executive Order No. 1683 of 17 December 2018 on Aliens' Access to Denmark on the Basis of a Visa is repealed.

(3) The provisions in Executive Order No. 376 of 20 March 2015 still apply to visa applications which were submitted prior to 1 March 2017.

Part 15

*The Faroe Islands and Greenland*

**32.** A visa issued according to the rules in this executive order is not valid for the Faroe Islands or Greenland.

*Ministry of Immigration and Integration, 28 January 2020*

Mattias Tesfaye

/ Jesper Gori

**Travel agency and tourist arrangements**

Denmark has set up travel agency and tourist arrangements in the following countries:

India

China

Russia

Ukraine

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## Annex 2

### **Main groups of third countries whose citizens must have a visa for their entry into Denmark**

Countries and regions whose citizens must have a visa for their entry into Denmark are divided into five main groups.

The division of countries into the main groups reflects a general assessment of whether visa applicants from the countries and regions concerned present a risk of immigration and whether applicants intend to leave the Schengen countries before the expiry of the visa.

The main groups are part of the assessment that the authorities make in accordance with section 16(4) of the Executive Order.

Accordingly, the division into main groups serves only as a guideline and indicates for each main group the group of persons who, as a general rule, are eligible for a visa, including when there are doubts as to the visa applicant's intentions to leave the Schengen area before the expiry of the visa.

This entails that an applicant who – according to the given main group – does not belong to the group of persons who, as a general rule, are eligible for a visa is not precluded from being granted a visa, see sections 16(2), (5) and (6) and section 17 of the Executive Order.

**Main group 1** includes countries and regions whose nationals are generally considered as posing a very limited risk of immigration into Denmark or the other Schengen countries. For nationals from these countries and regions, visas are, as a general rule, granted with a view to tourist and private visits as well as business visits and cultural and scientific visits.

**Main group 2** includes countries and regions whose nationals are generally considered as posing a certain risk of immigration in Denmark or the other Schengen countries. For nationals from these countries and regions, visas are, as a general rule, granted with a view to private visits with a host living in Denmark as well as business visits and cultural and scientific visits.

**Main group 3** includes countries and regions whose nationals are generally considered as posing a substantial risk of immigration in Denmark or the other Schengen countries. For nationals from these countries and regions, visas are, as a general rule, granted with a view to private visits with relatively close family members as well as business visits and cultural and scientific visits. Relatively close family members include spouses/permanent live-in partners, romantic partners/fiancé(e)s, children of any age and their accompanying spouses, if any, parents and their accompanying spouses, if any, siblings and their accompanying spouses, if any, as well as under-age nieces/nephews/grandchildren for the purpose of unaccompanied holiday stays. Also included are close acquaintances of Danes who have previously been posted abroad,

under-age sponsor children and applicants who are going to accompany an elderly, weak family member.

**Main group 4** includes countries and regions whose nationals are generally considered as posing a high risk of immigration in Denmark or the other Schengen countries. For nationals from these countries and regions, visas are, as a general rule, granted with a view to private visits with the closest family members as well as business visits and cultural and scientific visits. The closest family members include spouses/permanent live-in partners, under-age children and parents.

**Main group 5** includes countries and regions whose nationals are generally considered as posing a particularly high risk of immigration into Denmark or the other Schengen countries, and where there may be difficulties in connection with repatriation of the nationals. For nationals from these countries and regions, visas are, if the individual evaluation does not provide a clear answer as to whether the applicant intends to leave before the visa expires, as a general rule, only granted in extraordinary situations, for example in the event of life-threatening illness or death of a close family member living in Denmark. Correspondingly, visas are, as a general rule, not granted with a view business visits and cultural and scientific visits if the individual evaluation does not provide a clear answer as to whether the applicant intends to leave before the visa expires.

### **Main Group 1**

Angola	Lesotho
Bahrain	Madagascar
Belize	Maldives
Bhutan	Mozambique
Bolivia	Namibia
Botswana	Nauru
Cambodia	Oman
Comoros	Papua New Guinea
Dominican Republic	Qatar
Dem. People's Republic of Korea (North Korea)	São Tomé and Príncipe
Ecuador	Saudi Arabia

Eswatini

Fiji

Gabon

Guyana

Indonesia

Jamaica

Cape Verde Islands

China

Laos

## **Main Group 2**

Benin

Bosnia-Herzegovina <sup>ii)</sup>

Burkina Faso

Congo (Brazzaville)

Cuba

Central African Republic

Djibouti

Guinea

Guinea-Bissau

Haiti

Kazakhstan

Kyrgyzstan

Liberia

Malawi

Suriname

South Africa

Tajikistan

Taiwan <sup>i)</sup>

Tanzania

Turkmenistan

Equatorial Guinea

Mauritania

Moldova <sup>iv)</sup>

Mongolia

Montenegro <sup>v)</sup>

Nepal

Niger

North Macedonia <sup>iii)</sup>

Serbia <sup>vi)</sup>

Chad

Thailand

Togo

Uzbekistan

Zambia

Zimbabwe

### **Main Group 3**

Armenia	Kenya
Republic of Azerbaijan	Kuwait
Burundi	Morocco
Cameroon	Myanmar
Egypt	Russia
Ivory Coast	Rwanda
Philippines	Sierra Leone
Georgia <sup>vii)</sup>	Sri Lanka
Ghana	Turkey
Belarus	Uganda
India	Ukraine <sup>viii)</sup>
Jordan	Vietnam

### **Main Group 4**

Algeria	Mali
Bangladesh	Nigeria
Democratic Republic of the Congo	Senegal
Ethiopia	Stateless Palestinians <sup>ix)</sup>
Gambia	Sudan
Iran	South Sudan
Kosovo	Tunisia
Lebanon	Yemen
Libya	

**Main Group 5**

Afghanistan

Pakistan

Eritrea

Somalia

Iraq

Syria

- i) Holders of passports issued by Taiwan which include an identity card number are exempt from the visa requirement when entering Denmark. The same applies to holders of passports on which the words "Republic of China" are stated on the face, and where the place of birth is stated as Taiwan, provided that the passport contains an identity card number.
- ii) Holders of biometric passports issued by Bosnia-Herzegovina are exempt from the visa requirement when entering Denmark.
- iii) Holders of biometric passports issued by North Macedonia are exempt from the visa requirement when entering Denmark.
- iv) Holders of biometric passports issued by Moldova are exempt from the visa requirement when entering Denmark.
- v) Holders of biometric passports issued by Montenegro are exempt from the visa requirement when entering Denmark.
- vi) Holders of biometric passports issued by Serbia are exempt from the visa requirement when entering Denmark. However, the exemption from the visa requirement does not apply to holders of passports issued by the Serbian coordinating directorate ("Kordinaciona uprava").
- vii) Holders of biometric passports issued by Georgia are exempt from the visa requirement when entering Denmark.
- viii) Holders of biometric passports issued by Ukraine are exempt from the visa requirement when entering Denmark.
- ix) Other stateless persons than stateless Palestinians are considered in relation to the country where they have their habitual residence. Stateless Palestinians with habitual residence in a country which is placed in a stricter main group are considered in relation to the country of their residence.