



# Application form

BF1\_en\_05042023

## Application for dispensation to prevent a residence permit from lapsing

### Uses

This form is to be used when requesting that your residence permit **remains valid**, even though you intend to leave Denmark for an extended period of time.

### What happens if my residence permit lapses?

If your residence permit lapses, you lose your right to reside in Denmark. This means you may be denied re-entry if you have been out of Denmark for an extended period of time.

If your residence permit lapses you will need to apply for a new residence permit. Your new application will be processed according to current regulations.

### How can my residence permit lapse?

Your residence permit lapses automatically if you no longer maintain an address in Denmark and you leave the country without any intention to return.

If you maintain an address in Denmark, you may leave the country for a period of:

- six months until your residence permit lapses, if you have resided legally for less than two years
- 12 months until your residence permit lapses, if you have resided legally for more than two years, and with the view to a permanent residence.

If you fail to return within the time limit, your permit will automatically lapse.

If you have been granted asylum in Denmark (residence permit as a refugee), your residence permit can lapse only if you have been granted protection in another country, or if you move back to your homeland.

### How do I prevent my residence permit from lapsing?

If you expect to leave Denmark for an extended period of time and would like your residence permit to remain valid, you can apply for dispensation. Requests for dispensation must be received by the Danish Agency for International Recruitment and Integration **before** you leave Denmark, and you must have a specific purpose for residing abroad, such as:

- work
- education
- foreign posting for a Danish authority, institution, organisation or company
- foreign posting for an international institution, organisation or company headquartered in Denmark

### What about family members with residence permits?

If you are granted dispensation, it can also include your spouse, registered partner or cohabiting partner as well as any children under 18 who are living with you. The length of your family members' dispensation will be the same as yours.

Family reunified spouses/partners remaining in Denmark may have their residence permits revoked after six months since the joint residency requirement would then no longer be met.

### What is the maximum dispensation period?

Decisions about dispensation are made on a case-by-case basis and depend on a number of factors, such as: the purpose of your stay abroad, the length of time you have lived in Denmark and your ties to Denmark. Normally the maximum dispensation period is three years. However, extensions can be granted if you do not wish to return before the dispensation period expires. Applications for extension are made using this form (BF1).

If you do not return to Denmark before the dispensation period expires, your residence permit will lapse and you will need to apply for a new residence permit in Denmark.

### Instructions

1. Complete this form and sign Section 8 (following the instructions in the form).
2. Attach the required documentation (as indicated below)
3. Send the application to the Danish Agency for International Recruitment and Integration or submit it at the Service Centre.  
If you live outside Greater Copenhagen you can also submit the form at a local police station.

### What documents should I include with my application?

- A copy of your passport (all pages including blank pages and cover)
- Documentation of the purpose of your stay outside Denmark – e.g. employment contract or a statement from your employer or educational institution

### For more information

More information about the rules for residing outside Denmark can be found at [www.newtodenmark.dk](http://www.newtodenmark.dk). If you have any questions, please contact the Danish Agency for International Recruitment and Integration in writing, by phone or in person (see contact information below).

### For a faster reply

Your application will be processed faster if you complete the form correctly and include all necessary documentation.

It is therefore important that you carefully fill out this form and remember to submit all necessary documentation and information.



### For official use only

Personal ID

Date received

Received by (stamp and name)

BF1\_en\_130622

## Application for dispensation - to prevent a residence permit from lapsing

### 1. Applicant

PLEASE COMPLETE IN CAPITAL LETTERS

Surname

Alien identification number (udl.nr.) / personal ID

Given name(s)

Nationality

CPR number

Do you have any accompanying family members (spouse/registered partner/cohabiting partner or children under 18) who will be living outside Denmark with you?  Yes  No

If yes, please list the names and CPR number of each family member:

Name

CPR number

Name

CPR number

Name

CPR number

Name

CPR number

### 2. Purpose of stay abroad

PLEASE COMPLETE IN CAPITAL LETTERS

What is the purpose of your stay outside Denmark?

Please include documentation, e.g. employment contract or statements from your employer or educational institution

### 3. Date of departure and duration of stay

PLEASE COMPLETE IN CAPITAL LETTERS

When are you scheduled to leave Denmark?

How long do you plan to stay abroad?



## 4. Contact information abroad

PLEASE COMPLETE IN CAPITAL LETTERS

Please state an address where you can be reached during your stay outside Denmark.

C/O (if applicable)

E-mail address:

Telephone number

Mobile telephone number

## 5. Comments

PLEASE COMPLETE IN CAPITAL LETTERS

Use the space below for additional information that should be considered when evaluating your request.

Please remember to include any documentation supporting your request.

## 6. Declaration and information – applicant

### A. Sworn declaration that I have given correct information

I solemnly swear that the information I have given in this application is correct. If the information is found to be false, I am subject to the following penalties:

- My residence permit can be revoked.
- Fine or imprisonment of up to two years.
- I can be required by law to repay the expenses incurred by the Danish state as a consequence of the false information.

### B. Information about your duty to provide the necessary information

It is your duty to provide the information necessary to decide whether you can be granted a dispensation. If you do not provide this information, it may mean that you will not be granted a dispensation.

### C. Information on how we process your personal data

SIRI is obliged to inform you how we process your data and to inform you of your rights in regard to how we process your data.

#### Data controller

SIRI is the data controller and responsible for processing the personal data given in this application form and the data provided about you during the processing of the case. You can contact the agency by writing to the following address: The Danish Agency for International Recruitment and Integration (SIRI), Carl Jacobsens Vej 39, PO box 304, 2500 Valby or through our contact form on [newtodenmark.dk/SIRI-contactform](http://newtodenmark.dk/SIRI-contactform).

#### Data protection officer

You can contact our data protection officer by writing to the aforementioned address (Att. Data protection officer) or by using our contact form at [newtodenmark.dk/SIRI-contactform](http://newtodenmark.dk/SIRI-contactform). You can read more about SIRI as data controller and about SIRI's data protection officer on [newtodenmark.dk/personaldata](http://newtodenmark.dk/personaldata).

#### Purpose and legal basis

The personal data you give to SIRI is collected and used:

- to process your application for residence and/or work in Denmark
- in any later applications for extension or for a new residence and/or work permit in Denmark
- for verification and spot checks of the conditions for your residence and/or work

The legal basis for processing your personal data is:

- The Danish Aliens Act, in particular chapter 1 on the entry and residence of aliens in Denmark.
- The General Data Protection Regulation (GDPR), article 6.1 (c) (relating to the processing of data in order to comply with the legal obligation to which the controller is subject) and 6.1 (e) (relating to the exercise of official authority vested in the Danish Agency for International Recruitment and Integration by the Aliens Act).
- The General Data Protection Regulation (GDPR), article 9.2 (f) (relating to the necessity of processing in order to establish, exercise or defend legal claims).
- The Danish Data Protection Act section 8 (relating to the official authority only being allowed to process information about criminal offences if it is necessary for tasks of that official authority).

The information you give or have given in connection with your application will be registered in the registers of Danish immigration authorities. The same holds true for any information you later give in connection with an application to extend your residence permit or for a new residence and/or work permit in Denmark.

Some of your data will be registered in the Civil Registration System (CPR). This will in some instances happen immediately when you are granted a permit. In other situations the registration will take place only when you take up residence in Denmark.

Some data, including biometric data, will be registered in the Schengen Information System (SIS) under certain circumstances. This applies if you have been given a time limit for departure in relation to your application or your residence in Denmark. It also applies if you have been banned from the Schengen area.

### **We process the following categories of data about you:**

- General personal data, such as: information about your name, possible civil registration number (CPR-number), ; citizenship, occupation, education, marital status, financial information and whether you have committed any legally punishable offences
- Sensitive personal data, such as: health information and biometric data collected for the purpose of establishing your identity.

### **We can pass on your data to the following recipients**

SIRI can pass on your data to your sponsor (e.g. your employer, place of study, host or family member), municipal authorities, the police, the Danish Security and Intelligence Service and the Danish Defence Intelligence Service, the public prosecutor, the Immigration Appeals Board, the Refugee Appeals Board, the Ministry of Immigration and Integration, the Danish immigration Service, the Danish Return Agency, the Danish Agency for Labour Market and Recruitment, the Ministry of Foreign Affairs of Denmark and The Danish Parliament.

In isolated cases, SIRI also passes on your data to other public authorities, private sector organizations and foreign organizations and authorities when it is necessary to exercise our official authority.

Personal data will be shared with the relevant authorities in the other Schengen states, when SIRI is legally obliged to do so. These authorities will have access to the information registered in SIS by SIRI when it is relevant to their case processing.

Furthermore, data from SIRI's registers and the CPR register are shared with other relevant authorities or organisations via the Aliens Information Portal (Udlændingeinformationsportalen) if they need the data in order to process aspects of your stay in Denmark.

SIRI shares data when it is necessary in order to exercise our official authority, including when we are legally obliged to share information.

If you lose your residence permit, we will inform your current or previous employers, if any, that you no longer have the right to work. This will happen, if we issue a refusal to an application for a residence permit or to an extension of a residence permit. It will also happen if we revoke your residence permit or if we establish that your residence permit has lapsed. Employers who within the last three months have reported salary payments to you to the income register will be informed.

### **What is the origin of the data we process about you?**

The personal data that SIRI processes about you have been provided by you in this application form. We will also process data you may submit to your case later.

In addition, we will process data obtained from:

- any of your previous applications submitted to SIRI,
- searches in databases, such as: the Civil Registration System (CPR), the Central Business Register (CVR), the Income Register (eIncome), the Building and Housing Registry (BBR), the Schengen Information System (SIS)
- other authorities, such as: municipal authorities, the Regional State Administration, the Danish Immigration Service, the Immigration Appeals Board and the Refugee Appeals Board,
- third-parties or sponsors, such as: your au pair- or internship host, employer or educational institutions
- any person applying for a residence permit based on your grounds for residence in Denmark, and this person's previous cases with SIRI.
- Any person, who you base an application for a residence permit on, and this person's previous cases with SIRI.

## Storage of data

SIRI will store your personal data for as long as it is necessary in order to be able to carry out our tasks in relation to establishing or defending a legal claim to residence.

Data submitted as part of an immigration related matter can be stored for use by the immigration authorities at a later date. This means that the data can enter into the decision making process regarding future applications for extension of a residence permit, when revoking a residence permit, for verification and spot checks, when deciding whether a permit has lapsed, in relation to applications for permanent residency and for naturalization and in cases concerning any family members. In practice this means that SIRI will store your data for the period of your 'lifecycle' – i.e. your entire life. Basic data regarding your stay in Denmark, e.g. when and why you have been granted a residence permit and information on other decisions made by SIRI regarding your residence in Denmark will not be erased.

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 will be stored for 10 years. If you are not granted a residence permit, your fingerprints and photo will be stored for 20 years. If you are granted Danish citizenship, your fingerprints and photo will be deleted.

Personal data registered in the Schengen Information System (SIS) in relation to a deadline for departure are normally stored in SIS until your exit from the Schengen area is registered. If the data are registered in relation to an entry ban to the Schengen area, these data will, as a rule, be stored until the entry ban has expired.

Finally, it must be mentioned that data will be transferred to the Danish National Archives in accordance with the Danish Archives Act.

## Your rights

Under the GDPR you have a number of rights in relation to our processing of data about you:

### *The right to know what kind of data we process about you*

You have the right to ask what kind of data we are processing about you and be granted access to these data. If you request access to your data, your application will be processed in accordance with the GDPR's regulations governing right of access. If there are other regulations which provide you with greater access than the GDPR affords, your request for access will be processed in accordance with these regulations as well. These additional regulations may include those contained in the Public Administration Act that governs freedom of information requests.

### *The right to rectification (data correction) and the right to have your data erased*

You have the right to request corrections made to personal data about you that you find are inaccurate. In specific situations, you also have the right to have your data erased. As a rule, information can only be erased, if they are not necessary for processing your case as SIRI is obliged to record and register information in accordance with the Public Administration Act.

### *The right to restriction of processing*

In some situations, you have the right to restrict the processing of your personal data. Where processing has been restricted, SIRI may thereafter, with the exception of storage, only process your data with your consent unless the purpose of the processing is to establish or defend a legal claim, to protect another person or for reasons of important public interest.

### *The right to object*

In some situations, you have the right to object to otherwise legal processing of your personal data. This means that you can request that your data is erased, corrected or restricted.

You can read more about your rights in the Danish Data Protection Agency's guidelines about GDPR at [datatilsynet.dk](https://datatilsynet.dk). If you would like make use of your rights under the GDPR, contact SIRI.

## 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. Contact information for the Data Protection Agency is available at [datatilsynet.dk](https://datatilsynet.dk).

## D. Verification and spot-checks

Your case may be selected for a spot-check. The spot-check aims to verify the following:

- The accuracy of the information you have given.
- Whether you meet the conditions for a residence and/or work permit, if such is granted to you.



- Whether you are staying and/or working in Denmark without the necessary permit.

Verification may involve the following:

- Checking public registers, such as the Civil Registration System (CPR)
- Comparing information contained in the registers of SIRI and the Danish Immigration Service with records held by the Civil Registration System (CPR), the Building and Dwelling Register (BBR), the Central Business Register (CVR) and the Income Register (E-income).
- 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
- Using information about employment registered by the employer (in a so-called digital logbook). The Danish Agency for International Recruitment and Integration, the Danish Tax Agency, The Danish Agency for Labour Market and Recruitment as well as municipal councils can impose the use of digital logbooks on employers.

You may be asked to supply additional information as part of the verification and spot-check process.

## 7. Consent to let SIRI share information from my case with my sponsor or potential third party

SIRI can share information about you with your sponsor (e.g. in order to enable SIRI to verify the accuracy of the information you have provided in the application, or in order to check whether you continue to meet the conditions of your permit) without your consent, when necessary in order to process your application or as part of later spot-checks. Please note paragraph [B] "Information on how we process your data" in section 6 "Declaration and information – applicant".

However, it will sometimes ease the processing of your case if SIRI to a greater extent can share information about your personal circumstances with your sponsor or potential third party (e.g. if we cannot get in touch with you). If you would like SIRI to be able to share information with your sponsor or a third party, you must give your consent below.

If you do not wish to give your consent to let SIRI share information in these situations, we will instead get the information from you (the applicant) and abstain from sharing information with your sponsor or third party. This may result in a longer processing time for your application.

You can at any point in time withdraw your consent. If you wish to withdraw your consent you must inform us. Please find our contact information at [newtodenmark.dk/contact-siri](http://newtodenmark.dk/contact-siri).

(tick off)

**I hereby consent to let the Danish Agency for International Recruitment and Integration (SIRI) share information about me with my sponsor or a third party to this greater extent in order to ease the processing of this application.**

## 8. Underskrift – ansøger

**By signing below, I confirm that the information I have given in this form is correct and that I have read and accepted the terms laid out in section 6, paragraph A.**

**I also confirm that I have made a decision regarding section 7 on consent to share information.**

**I also understand that the information I have given or will be giving will be registered in SIRI's registers and that the information contained in the registers of SIRI and the Danish Immigration Service can be compared with records held in the Civil Registration System (CPR), the Buildings and Housing Register (BBR), the Central Business Register (CVR) and the Income Register (eIncome).**

Dato og sted

Underskrift



## Checklist

The Danish Agency for International Recruitment and Integration can process your request faster if all forms are filled out correctly and include the required documentation.

Before submitting your application, we suggest that you use the checklist below to make sure you have filled out the form correctly and included the necessary documents.

**Before submitting your application, make sure you have included the following (please tick):**

- A copy of your passport (all pages including blank pages and cover)
- Documentation of the reason for your stay abroad, such as an employment contract or statement from your employer or educational institution

**Please make sure that you have:**

- answered all questions *and*
- signed and dated the application in Section 8.