



Application for family reunification with a spouse who is a Danish citizen under EU law

Uses

This application is to be used when applying for family reunification with a spouse who is a Danish citizen under EU law if

- the Danish citizen is seeking to return to Denmark after having exercised the EU right to freedom of movement.

The term "family reunification with a spouse who is a Danish citizen under EU law" should be understood to mean residence in Denmark on grounds of

- marriage,
- registered partnership, or
- cohabitation with a Danish citizen.

In the instructions below, the word "spouse" is used as a general term to refer to a spouse, a registered partner or a cohabiting partner.

The term "EU country" is used as a general term to refer to EU/EEA member states and Switzerland.

If the Danish citizen has NOT exercised the EU right of free movement, you can apply for family reunification at the Immigration Service. If the person currently living in Denmark is NOT a Danish citizen, please use application OD1 and submit the application to the Danish Agency for International Recruitment and Integration (SIRI).

Contents

This application contains two forms:

- Form 1 – Application for family reunification with a spouse who is a Danish citizen under EU law
- Form 2 – Information form to be completed by the Danish citizen that has exercised the EU right of free movement

Instructions

Forms 1 and 2 should be submitted when applying for family reunification with a spouse according to EU law.

Form 1 is to be used by the foreign spouse (the applicant). He/she should do the following:

1. Fill out Form 1.
2. Include the required documentation.
3. Submit the application at a Danish embassy or consulate abroad or, if you are in Denmark, at one of SIRI's branch offices.
4. If the foreign spouse (the applicant) is a third country citizen, he/she must appear in person to have biometric features (digital facial image and fingerprints) recorded when submitting the application.

Form 2 is to be used by the spouse who is a Danish citizen. He/she should do the following:

1. Fill out Form 2.
2. Include any documents to support that the Danish citizen has established a genuine and effective residence in another EU country.
3. Submit Form 2 to SIRI. If both spouses reside in Denmark, both forms should be submitted together.

The specific instructions are given on the first page of each form. There is a checklist at the end of the forms that can be used to keep track of whether they have been filled out correctly and whether all the relevant information has been included.

Biometric features required on residence cards for third country citizens

Third country applicants, i.e. applicants who are not citizens of an EU/EEA country or Switzerland, must appear in person to have their biometric features (digital facial image and fingerprints) recorded in connection with the application being submitted.

Read more about biometric residence cards at newtodenmark.dk/biometrics.

Deadline for applying

Your application must be submitted at time of the Danish citizen's return to Denmark, or a reasonable amount of time thereafter.

For a faster answer

SIRI can process the application faster if you fill out both forms correctly and from the start submit them together with any documentation to support that the Danish citizen has established a genuine and effective residence in another EU country.

If you do not include sufficient documentation, we will request further information from you.

Form 2 contains a list of the types of documents that can be used to support that the Danish citizen has established a genuine and effective residence in another EU country.



You can also submit a general application for family reunification

If you are uncertain whether you can apply for family reunification in Denmark according to EU law, you can submit an application for family reunification under the Danish Aliens Act as well. If you wish to do so, you should apply at the Immigration Service.

If you are applying for family reunification under EU regulations with a spouse who is an EU citizen, but not a Danish citizen, you should use application OD1 "Application for EU-residence document".

Right to work while your application is being processed

Family members who are citizens of a non-EU country are only permitted to work while their application is being processed if they meet the EU law for residence. In certain cases, you can be subject to legal penalties according to Section 59 (2) of the Aliens Act, if you wind up not qualifying for residence based on EU law. Family members who are EU citizens automatically have the right to work in Denmark while their application is being processed.

For more information

More information about the rules for family reunification of spouses under EU law is available at newtodenmark.dk.

Address of SIRI's branch offices

It is possible to submit the application personally at the local departments of SIRI. You can read more about how to contact us at newtodenmark.dk/contact-siri.

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

Date received	Received by (name)	Authority (stamp)	Alien identification number (Udl.nr.) / Personal ID
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OD2/A_en_300721

FORM 1 (OD2/A) To be filled out by the spouse who is *not* a Danish citizen

Application for family reunification with a spouse who is a Danish citizen under EU law - application for residence on grounds of marriage, registered partnership or cohabitation with a Danish citizen who has exercised the EU right of free movement

Instructions

1. Fill out and sign this form (Form 1). Follow the instructions in the form.
2. Include the relevant documentation
3. Submit the application (Form 1) to a Danish embassy or consulate in the country in which you live. If you are in Denmark, you can submit your application at one of SIRI's branch offices.
4. If you are a third country citizen, your biometric features must be recorded when you submit your application.

Which documents should be submitted with Form 1?

- A copy of your passport (all pages, including the cover)
- A marriage certificate or proof of registered partnership (copy or original version with authorised translation to Danish or English, if necessary)
- Documentation of cohabitation (required only if you are not married/registered partners)
- Documentation that you have lived in another EU country

What other documents are required when submitting your application?

Please bring your current passport so the authorities can verify your identity.

For a faster reply

SIRI will be able to process your application faster if:

- Forms 1 and 2 are filled out correctly and the required documents are included, and
- The Danish citizen submits Form 2 no more than 14 days after your application (Form 1) is submitted. If your application is submitted in Denmark, both forms should be submitted together

Right to work while your application is being processed

Family members who are citizens of a non-EU country are only permitted to work while their application is being processed if they meet the EU law for residence. In certain cases, you can be subject to legal penalties according to Section 59 (2) of the Aliens Act, if you wind up not qualifying for residence based on EU law. Family members who are EU citizens automatically have the right to work in Denmark while their application is being processed.

For more information

More information about the rules for family reunification of spouses is available at newtodenmark.dk



Applicant		PLEASE COMPLETE IN CAPITAL LETTERS
Surname	Former surname(s) (if applicable)	
Given name(s)		
Nationality	Former nationality (if applicable)	
Date of birth (day, month, year)	CPR number (if applicable)	
Alien identification number / Personal ID (if applicable)		
Place of birth (city)	Country of birth	

Name and CPR number of your Danish spouse/partner/registered partner living in Denmark		PLEASE COMPLETE IN CAPITAL LETTERS
All Danish citizens and individuals holding a residence permit have a CPR number. Your spouse can tell you what his/hers CPR number is.		
Spouse's name (given name(s) and surname)	Spouse's CPR number	

1. Information about you (the applicant)		PLEASE COMPLETE IN CAPITAL LETTERS
Gender		
<input type="checkbox"/> Male <input type="checkbox"/> Female		
Marital status		
<input type="checkbox"/> Cohabiting <input type="checkbox"/> Married <input type="checkbox"/> Unmarried <input type="checkbox"/> Widowed <input type="checkbox"/> Registered partnership <input type="checkbox"/> Divorced		
Do you have children?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
Address in the other EU country (street, number, postal code, city and country)		
Telephone number	E-mail address	
If you are currently in Denmark , please state your date of entry, address, and contact information in Denmark.		
Important: Please inform SIRI of any changes to address or other contact information in Denmark.		
Date of entry		
Address (street and number)	Postal code and city	
Telephone number	E-mail address	
C/O (name)		



2. Information about your passport and residence in other EU countries

PLEASE COMPLETE IN CAPITAL LETTERS

National passport Other travel document (state which)

Passport number	Date of issue
Date of expiry	In which country was the passport issued?

Have you resided in another EU country together with your Danish spouse?

Yes No

If **yes**, state which countries and the exact dates. Include documentation

3. Information about your spouse/partner

PLEASE COMPLETE IN CAPITAL LETTERS

Surname	Previous surname (if applicable)
Given name(s)	
Date of birth (day, month, year)	If married/registered partners, state where and when you married/entered into your registered partnership
Address (street and number)	Postal code and city
Country	Telephone number

4. Information about your previous spouses

PLEASE COMPLETE IN CAPITAL LETTERS

Have you been married before? Yes No

If **yes**, please provide the following information about your previous spouse(s):

	Given name(s) and surname	Date of birth (day, month, year)	Nationality	Dates marriage began, ended
1				
2				
3				



5. Information about your children

PLEASE COMPLETE IN CAPITAL LETTERS

Given name(s)	Nationality	Date of birth (day, month, year)	Gender		Is the child in Denmark?		Is the child also applying for residence? If yes , complete form OD2/B for children under the age of 21 and form OD2/C for children over 21.	
			Male	Female	Yes	No	Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. About your marriage/registered partnership

PLEASE COMPLETE IN CAPITAL LETTERS

Fill out Section 6 only if you are married or have entered into a registered partnership. Otherwise, go directly to Section 7.

The immigration authorities will seek to identify the following:

- Whether your marriage is valid under Danish law? (e.g. a marriage in some countries – unlike Denmark – is valid even if both parties were not present at the ceremony)
- Was the marriage forced
- Was the marriage pro forma, i.e. with the primary reason of obtaining a residence permit for the applicant

The questions below are intended to clarify the nature of your relationship. We ask these questions in all applications, and we ask only questions that are relevant for processing your application.

Where, when and how did you first meet your spouse?

Did you decide for yourselves that you should marry? Yes No
If **no**, who did?

When was the decision made?

If you lived together before marrying, state when.

If you have not lived together, explain how often and under what circumstances you maintain contact with your current spouse.

Did you plan your own wedding? Yes No
If **no**, who planned your wedding?

Where and when did you marry?

Were you both present at the ceremony? Yes No

How have you kept in contact since being married?

When did you last see each other?

Which language do you speak together?

7. Declarations

A. Sworn declaration of correctness

I hereby solemnly swear that the information in this application is correct and complete. If the information is found to be false or incomplete, I am subject to the following penalties under the terms of Section 161 of the Danish Criminal Code, cf. Section 40 of the Aliens Act:

- Fine or imprisonment for 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 or incomplete information
- My right to reside in Denmark can be revoked in accordance with Article 30, cf. Article 32 of the EU Residence Directive

B. Information about the duty to provide necessary information

It is your duty to provide the information necessary to determine whether you can obtain an EU residence document. If you do not provide this information, it may mean that you will not be issued a EU residence document.

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.

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. You can read more about SIRI as data controller and about SIRI's data protection officer on newtodenmark.dk/personaldata.

Purpose and legal basis

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

- to process your application for an EU residence document in Denmark
- in any later application for an extension of your right to reside, permanent residence or a new EU residence document in Denmark

- for verification and spot checks of the conditions for your EU residence document in Denmark

The legal basis for processing your personal data is:

- Executive order on EU residence
- 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 SIRI 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 for permanent residence, extension of your EU residence, a new EU residence document in Denmark or in connection with a possible verification and spot check.

We process the following categories of data about you:

- General personal data, such as: information about your name, civil registration number (CPR-number), citizenship, occupation, educational background, marital status, financial information and whether you have committed any legally punishable offences.
- Sensitive personal data, such as health information

We can disclose your data to the following recipients

SIRI may disclose information to your reference (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 Agency for Labour Market and Recruitment (STAR), the Ministry of Foreign Affairs of Denmark, The Danish Parliament and the Agency of Family Law.

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.

Furthermore, data from SIRI's registers and the CPR register are shared with other relevant authorities or organisations via the Aliens Information Portal (Udlændingefinformatiportalen) 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

Particularly for third-country nationals

If you lose your grounds for EU residence, we will inform any current or former employers that you are no longer entitled to work. This will happen, if we give you a refusal to an application for an EU residence document or for an extension of your EU residence document. This will also happen, if your EU residence document is revoked or if we find that your right to residence under the Executive Order on EU residence has expired or lapsed. The information will be given to employers who have reported wages paid to you within the last 3 months to the income register.

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 previous applications submitted to SIRI by you,
- searches in databases, such as: the Civil Registration System (CPR), the Income Register (eIncome), the Building and Dwelling Register (BBR) and the Schengen Information System (SIS II)
- other authorities, such as: municipal authorities, the Danish Immigration Service, the Immigration Appeals Board and the Refugee Appeals Board,
- third-party or reference, such as family members, employers or educational institutions
- any person applying for EU residence based on your grounds for EU residence in Denmark, and this person's previous cases with SIRI.
- Any person on the basis of whom you are applying for an EU residence document 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, when revoking an EU residence document, for verification and spot checks, when deciding whether a right

to reside 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 an EU residence document and information on other decisions made by SIRI regarding your residence in Denmark will not be erased.

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 that corrections be made to personal data about you that you find inaccurate. In specific situations, you also have the right to have your data erased. As a rule, information can only be erased, if it is 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 www.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 www.datatilsynet.dk.

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

SIRI may seek to verify the accuracy of the information you have given in this application. This may happen while the application is being processed or later, if you are granted a permit. If you are granted a permit and SIRI finds that you no longer meet the requirements of your residence permit, your permit may be revoked. Verification may be conducted at random and is not necessarily an indication that SIRI suspects you of providing false information, or of not meeting the requirements of your residence permit.

Verification may involve the following:

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

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

8. Signature

I am applying for family reunification with a spouse in Denmark according to EU law. **By signing below, I confirm that I have read, understood and accepted the terms laid out in section 7.**

Date and place

Signature

9. Declaration regarding your marriage/partnership

In order to be granted a certificate of registration/residence card on the grounds that your spouse has exercised the EU right of free movement, you must sign the following declaration:

I hereby solemnly swear, under penalty of prosecution in accordance with Section 161 of the Danish Criminal Code, cf. Section 40 of the Aliens Act, that I have not entered into my marriage, registered partnership or cohabiting partnership solely in order to qualify for residence in Denmark.

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

- Fine or imprisonment for 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 or incomplete information
- My right to reside in Denmark can be revoked

SIRI is permitted to obtain further information about and/or documentation of my marriage/registered partnership/cohabitation.

Date and place

Signature

Have you remembered everything?

SIRI can process your application for family reunification faster if it is correctly filled out and contains the required documents.

It is therefore important that you make certain that the forms are filled out correctly and that you have included the relevant documents.

We recommend using the checklist below before submitting the application.

Checklist

Before submitting your application, please make sure, that you have done the following:

- Answered all questions.
- Signed and dated the application.
- Included a copy of your passport (all pages including frontpage).
- Included a marriage certificate/proof of registered partnership (original or copy) together with an authorised translation to Danish or English (if necessary).
- Included proof of cohabitation. Such documentation includes a lease showing joint tenancy, letters received at the same address, statements from landlords or employers, etc. (required only if you are not married/registered partners).
- Included proof that you have resided in another EU country, e.g. copy of residence card, application for residence card, other kinds of registration with the authorities (register of persons or tax registration) or visa for the country in question.
- Signed and dated the "Declaration regarding your marriage/partnership", and
- Signed and dated the "Declaration of cohabitation" (Attachment A, Form 2) (required only if you are not married/registered partners).

Please remember to bring your original passport when you submit your application.

Biometric features required on residence cards to third country citizens

If you submit your application, you must appear in person to have your biometric features (digital facial image and fingerprints) recorded.



If you send your application by post or fax or if it is submitted by a third-party such as a lawyer, you must appear in person to have your biometric features recorded – preferably **within 14 days** of the application being submitted. When you appear to have your biometric features recorded or to submit your facial images, **please remember to bring a photocopy** of the first three pages of your completed application form. This will allow the immigration authorities to match your biometric features with the application.

Please **bring your passport** or other form of travel documentation when having your biometric features. In addition to your biometric features, your signature will also be recorded. Facial images and fingerprints are stored on a microchip embedded in the residence card.

If you do not agree to have your biometric features recorded in connection, we cannot issue a residence card for you. If you are not physically capable of providing fingerprints, you will not be required to do so.

Read more about residence cards and biometric features at newtodenmark.dk/biometrics.

For official use only: Comments and forwarding endorsements

Names and passport information in compliance with shown proof of identity

Enclosed:

Copy of passport / copy of ID card (EU citizens only)

Biometric features recorded of third country citizens

A marriage certificate / proof of registered partnership

Other

Documentation of cohabitation

Documentation of the applicants residence in another EU country

CPR number issued on (date)

Comments

PLEASE REMEMBER TO COMPLETE 'FOR OFFICIAL USE ONLY' ON PAGE 3 OF THIS FORM



FORM 2 (OD2/A) To be filled out by the spouse who is a Danish citizen

Information form to be used by the spouse who is a Danish citizen and who has exercised the EU right of free movement

OD2/A_en_300721

Instructions

You, the Danish citizen, that has exercised the EU right of free movement should do the following:

1. Fill out and sign this form (Form 2). Follow the instructions in the form.
2. Include any documents to support that you have established a genuine and effective residence in another EU country.
3. Submit the information form (form 2) to the Danish Agency for International Recruitment and Integration (SIRI). If your spouse's application is submitted in Denmark, please submit this form (form 2) in connection with the application (form 1) at one of SIRI's branch offices.

In exceptional cases, EU law entitle a spouse of a Danish citizen who lives in Denmark to family reunification if the Danish citizen provides cross-border services to other EU countries. If you are applying for residence on these grounds, you should fill out Attachment C.

Which documentation should be included with Form 2?

You should include the following:

- Attachment A: Declaration of cohabitation (required only if you are not married/registered partners)
- Attachment B: Sworn declaration that you will support the applicant (required only if you are not married/registered partners)
- Documentation of financial support, cf. Section 1
- Other documentation as indicated in the form

For a faster answer

SIRI can process the application faster if you fill out both forms correctly and from the start submit them together with any documentation to support that you (the Danish citizen) have established a genuine and effective residence in another EU country.

If you do not include sufficient documentation, we will request further information from you.

At the end of this form (Form 2) you will find **examples** of the types of documents that can be used to support that you (the Danish citizen) have established a genuine and effective residence in another EU country.

For more information

More information about the rules for family reunification of spouses under EU law is available at newtodenmark.dk.

Information about you, the Danish citizen seeking to reside in Denmark with your spouse/partner under EU law

PLEASE COMPLETE IN CAPITAL LETTERS

Surname	Given name(s)	
CPR number	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Alien Identification Number (if applicable)
Telephone number	E-mail address	



Information about your spouse/partner applying for family reunification

PLEASE COMPLETE IN CAPITAL LETTERS

Surname

Given name(s)

Date of birth (day, month, year)

Gender

Male

Female

Place of birth (city)

Country of birth

Nationality

CPR number (if applicable)

Alien Identification Number (if applicable)

Does your spouse have children from a previous relationship who are also applying for Danish residence under EU law?

Yes No

If **yes**, each child must complete Form 1 in application packet OD2/B.

1. Information about your residence in another EU country (residents of Denmark who provide services to another EU country do NOT need to complete this section. Please complete Attachment C instead)

PLEASE COMPLETE IN CAPITAL LETTERS

If you are a Danish citizen who has established a genuine and effective residence in another EU country and you have exercised your EU right of free movement, your spouse may qualify for family reunification in Denmark under EU law.

Genuine and effective residence in another EU country

Genuine and effective residence in another EU country means that you

- have actually moved to another EU country, and
- have established a life there, for example, by renting or purchasing housing, opening a bank account, enrolment of children in school, etc.

Free movement

Normally, you will be considered to have exercised your right of free movement if you have resided in another EU country as

- an employee or retired employee,
- a self-employed person or retired self-employed person,
- a service provider or retired service provider,
- stationed abroad by your employer,
- a student, or
- a person with sufficient income or means (self-supporting).

More information about family reunification under EU law is available at newtodenmark.dk.

In order for your spouse to be granted a certificate of registration/residence card, you are required to sign the declaration below stating that your residence in the other EU country is/was genuine and effective. In certain cases of family reunification under EU law a financial support requirement can also be made. Read more below.

In which EU country did you live?

During which period did you reside in the above-mentioned country? (Give exact dates)

When did your spouse/registered partner/permanent partner live with you? (Give exact dates)

Which type of residence did you live in?

Resident-owned Rental Sublet Other (state which type)



What was your work status?

Employee; position? _____ Number of hours per week: _____
 Period of employment? (Exact dates): _____

Please include proof that you were employed during the stated period. Acceptable documentation includes: employment contract, pay statements, termination notice, work description (weekly/monthly job slips stating hours worked). If you were only employed for a short period (less than 10 weeks), please state the reason why your employment came to an end.

Self-employed; company name: _____
 Period: _____

Service provider; type of service? _____
 Period: _____

Stationed abroad; for which company? _____
 Period: _____

Student; course/line of education and school? _____
 Period: _____

Person with sufficient income or means (self-supporting); how did you support yourself? _____

Retired employee; when did you retire in the EU country in question? _____ (date/year)

Retired self-employed person; when did you retire in the EU country in question? _____ (date/year)

Retired service provider; when did you retire in the EU country in question? _____ (date/year)

More information about these groups is available at newtodenmark.dk.

Your children (or your spouse's children) **included in this application:**

Given name(s)	Surname	Nationality	Gender	Date of birth	Relation	Supported by you?
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Male <input type="checkbox"/> Female			<input type="checkbox"/> Yes <input type="checkbox"/> No



Do you currently live in Denmark? Yes No

If **yes**, please answer the following questions:

When did you return?

Did your spouse/registered partner/cohabiting partner arrive in Denmark with you? Yes No
If **no**, state why.

Did any of the children named above enter Denmark with you? Yes No
If **no**, state which and why.

Declaration regarding residence in another EU country and your marriage/registered partnership/cohabiting partnership

By signing below, I solemnly swear, under penalty of prosecution in accordance with Section 161 of the Danish Criminal Code and Sections 23/26 of the EU Residence Directive, that I have or have had established a genuine and effective residence in the EU country mentioned above.

In addition, I solemnly swear that the purpose of marrying/entering into a registered partnership was not solely in order to qualify for residence in Denmark.

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

- Fine or imprisonment for 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 or incomplete information
- The family members included in the application can lose their right to reside in Denmark

The Danish Agency for International Recruitment and Integration is permitted to obtain further information about and/or documentation of my residence in the other EU country and my marriage/registered partnership/cohabiting partnership.

By signing below, I confirm that I have read, understood and accepted the terms laid out in this declaration

Date and place

Signature

Financial support requirement

PLEASE COMPLETE IN CAPITAL LETTERS

In some cases, you may be required to support family members who apply for family reunification under the EU regulations on free movement. If this requirement is made, you must document that you can support certain family members during their stay in Denmark to ensure that they will not need public assistance.

Whether the financial support requirement applies to you depends on the reason why you were able to live in the other EU country, as well as the family members seeking residence in Denmark with you.

- *For current/former **students***: Sign the declaration below stating that you can support yourself, your spouse/registered partner/cohabiting partner and any children under the age of 21 seeking residence with you.
- *If you are a **individual with sufficient income or means (self-supporting)***: Please include documentation that you can support yourself and any family members seeking residence with you.

Proof that you can support family members can be documented by showing that you have sufficient income or assets to ensure that family members seeking residence with you will not require public assistance. In general, "sufficient income or assets" should be understood to mean financial resources that allow you to provide a family member with the same level of support as that afforded by "Start Help" benefits under the terms of the Active Social Policy Act.

Immigration officials can use the income registry to obtain information about whether you have received public assistance according to the terms of the Active Social Policy Act or the Integration Act. If so, immigration officials will be able to obtain information from your municipality about the amount and character of the payments.



If it is likely that it will be necessary to obtain information from the income registry or your municipality, you will be asked in advance to give your consent.

Declaration for students

By signing below, I solemnly swear, under penalty of prosecution in accordance with Section 161 of the Danish Criminal Code and Articles 23 (3)/26 (4) of the EU Residence Directive, that I have sufficient income or means to provide for myself and any family member included in this application to ensure that neither I or any family member will require public assistance.

By signing below, I confirm that I have read, understood and accepted the terms laid out in this declaration.

Date and place	Signature

The space below can be used to add any additional information you believe should be considered by SIRI in regard to the financial support requirement in your case.

2. Marriage/partnership

PLEASE COMPLETE IN CAPITAL LETTERS

Complete Section 2 only if you are married/registered partners. Otherwise, go directly to Section 3.

The immigration authorities will seek to identify the following:

- Whether your marriage is valid under Danish law? (e.g. a marriage in some countries – unlike Denmark – is valid even if both parties were not present at the ceremony)
- Was the marriage forced
- Was the marriage pro forma, i.e. with the primary reason of obtaining a residence permit for the applicant

The questions below are intended to clarify the nature of your relationship. We ask these questions in all applications, and we ask only questions that are relevant for processing the application.

Where, when and how did you first meet your spouse?

Did you decide for yourselves that you should marry? Yes No
If **no**, who did?

When was the decision made?

If you lived together before marrying, state when.



If you have not lived together, explain how often and under what circumstances you maintain contact with your current spouse.

Did you plan your own wedding? Yes No
If **no**, who planned your wedding?

Where and when did you marry?

Were you both present at the ceremony? Yes No

How have you kept in contact since being married?

When did you last see each other?

Which language do you speak together?

3. Information about your previous spouses

PLEASE COMPLETE IN CAPITAL LETTERS

Have you been married before? Yes No

If **yes**, please provide the following information about your previous spouse(s):

	Given name(s) and surname	Date of birth (day, month, year)	Nationality	Dates marriage began, ended
1				
2				
3				

4. Cohabitation

PLEASE COMPLETE IN CAPITAL LETTERS

Complete Section 4 only if you are **not** married/registered partners. Otherwise, go directly to Section 5.

You and your cohabiting partner are permitted to live together in Denmark under EU law, even though you are not married / registered partners. There is no specific length of cohabitation required. Evaluations will be made on a case-by-case basis of whether your relationship is durable enough to qualify for consideration. The evaluation will place an emphasis on the length of time the couple has known each other and their time spent together in Denmark and abroad. Normally, cohabitation for a period of 18 to 24 months will be significant to prove that the relationship can be considered durable.

In the space provided below please state where and when you have lived with the applicant. Include documentation.

Address (street, number, postal code, city)

Period (from – to)

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	—
	—
	—

Other information you believe should be included in an evaluation of your relationship:

5. Declarations

A. Sworn declaration of correctness

I hereby solemnly swear that the information in this application is correct and complete. If the information is found to be false or incomplete, I am subject to the following penalties under the terms of Section 161 of the Danish Criminal Code, cf. Section 40 of the Aliens Act:

- Fine or imprisonment for 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 or incomplete information
- My right to reside in Denmark can be revoked in accordance with Article 30, cf. Article 32 of the EU Residence Directive

B. Information about the duty to provide necessary information

It is your duty to provide the information necessary to determine whether you can obtain an EU residence document. If you do not provide this information, it may mean that you will not be issued a EU residence document.

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.

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. You can read more about SIRI as data controller and about SIRI's data protection officer on newtodenmark.dk/personaldata.

Purpose and legal basis

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

- to process your application for an EU residence document in Denmark
- in any later application for an extension of your right to reside, permanent residence or a new EU residence document in Denmark
- for verification and spot checks of the conditions for your EU residence document in Denmark

The legal basis for processing your personal data is:

- Executive order on EU residence
- 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 SIRI 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 for permanent residence, extension of your EU residence, a new EU residence document in Denmark or in connection with a possible verification and spot check.

We process the following categories of data about you:

- General personal data, such as: information about your name, civil registration number (CPR-number), citizenship, occupation, educational background, marital status, financial information and whether you have committed any legally punishable offences.
- Sensitive personal data, such as health information

We can disclose your data to the following recipients

SIRI may disclose information to your reference (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 Agency for Labour Market and Recruitment (STAR), the Ministry of Foreign Affairs of Denmark, The Danish Parliament and the Agency of Family Law.

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.

Furthermore, data from SIRI's registers and the CPR register are shared with other relevant authorities or organisations via the Aliens Information Portal (Udlændingefinformatiportalen) 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

Particularly for third-country nationals

If you lose your grounds for EU residence, we will inform any current or former employers that you are no longer entitled to work. This will happen, if we give you a refusal to an application for an EU residence document or for an extension of your EU residence document. This will also happen, if your EU residence document is revoked or if we find that your right to residence under the Executive Order on EU residence has expired or lapsed. The information will be given to employers who have reported wages paid to you within the last 3 months to the income register.

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 previous applications submitted to SIRI by you,
- searches in databases, such as: the Civil Registration System (CPR), the Income Register (eIncome), the Building and Dwelling Register (BBR) and the Schengen Information System (SIS II)
- other authorities, such as: municipal authorities, the Danish Immigration Service, the Immigration Appeals Board and the Refugee Appeals Board,
- third-party or reference, such as family members, employers or educational institutions
- any person applying for EU residence based on your grounds for EU residence in Denmark, and this person's previous cases with SIRI.
- Any person on the basis of whom you are applying for an EU residence document 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, when revoking an EU residence document, for verification and spot checks, when deciding whether a right to reside 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 an EU residence document and information on other decisions made by SIRI regarding your residence in Denmark will not be erased.

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 that corrections be made to personal data about you that you find inaccurate. In specific situations, you also have the right to have your data erased. As a rule, information can only be erased, if it is 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 www.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 www.datatilsynet.dk.

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

SIRI may seek to verify the accuracy of the information you have given in this application. This may happen while the application is being processed or later, if you are granted a permit. If you are granted a permit and SIRI finds that you no longer meet the requirements of your residence permit, your permit may be revoked. Verification may be conducted at random and is not necessarily an indication that SIRI suspects you of providing false information, or of not meeting the requirements of your residence permit.

Verification may involve the following:

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

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

6. Signature

By signing below, I confirm that I have read, understood and accepted the terms laid out in section 5.

Date and place

Signature



Attachment A: Declaration of Cohabitation

PLEASE COMPLETE IN CAPITAL LETTERS

This attachment should only be included if you are not married/registered partners.

EU law requires that you live together at the same address while residing in Denmark. You are required to inform the immigration authorities if this is no longer the case.

We, the undersigned cohabiting partners, hereby solemnly swear that we:

- live together at the same residence at the address given below, and
- did not enter into our partnership solely in order for the applicant to qualify for residence in Denmark.

If this declaration is found to be false, we understand that we are subject to the following penalties under the terms of Section 161 of the Danish Criminal Code, cf. Section 161 of the Aliens Act and Section 59-60 of the Aliens Act:

- fine or imprisonment for up to two years.
- we can be required by law to reimburse the Danish state for any costs incurred as a result of the false information.

Address (street, number, postal code and city)

Date and place

Signature

Date and place

Signature

Attachment B: Sworn declaration that I will support the applicant (To be completed only if you are not married/registered partners)

PLEASE COMPLETE IN CAPITAL LETTERS

If you are the spouse/registered partner of the person who is applying for family reunification you are obliged by Danish law to financially support your spouse/registered partner.

If the applicant is your cohabiting partner, you must agree to accept this obligation. This is required in order for the applicant to be granted residence under EU law.

By signing this declaration, you agree to accept this obligation.

If your cohabiting partner is granted residence under EU law, we will send a copy of this declaration to the municipality (kommune) in which you live.

I, (name),

CPR number

Address

Hereby solemnly swear that I will give my full financial support to:

Name

Date of birth

Nationality

Alien Identification Number (if applicable)

for as long as he/she holds temporary residence granted in accordance with Article 13 of the EU Residence Directive, based on his/her relationship with me.

I understand that signing this declaration is a requirement for my cohabiting partner to be granted residence, cf. Article 16 of the EU Residence Directive.



Date and place	Signature
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Attachment C: Information required for applications for family reunification with a spouse who is a Danish citizen living in Denmark and who provides cross-border services to other EU countries

PLEASE COMPLETE IN CAPITAL LETTERS

In exceptional cases, EU regulations entitle the family members of Danish citizens who live in Denmark to family reunification if the Danish citizen provides cross-border services to other EU countries.

If a Danish citizen residing in Denmark and providing cross-border services wants to obtain residence for his/her foreign spouse/registered partner/cohabiting partner or for their children under the age of 21, the following conditions must be satisfied:

- The Danish citizen's spouse and children under the age of 21 (third-country nationals) must have **entered Denmark legally**,
- the Danish citizen must reside in Denmark and provide **cross-border services** to another EU/EEA country or Switzerland from Denmark,
- the Danish citizen must make business trips to the other EU countries to which services are provided,
- the Danish citizen's provision of services must **constitute a large proportion** of his/her commercial activities, both in Denmark and in other EU countries,
- the marriage/registered partnership/cohabitation may not exist solely in order for the applicant to qualify for residence in Denmark. If the couple is married/are registered partners the marriage/registered partnership must still be valid when the foreign spouse/registered partner enters Denmark. Cohabiting couples must continue to live together upon arriving in Denmark and during their residence here, and
- the couple must have established a **genuine family** life in Denmark.

If your spouse is applying for family reunification based on these circumstances, he/she must fill out Form 1.

You must fill out Form 2 (skipping Section 1), and answer the following questions:

What travel papers allowed your spouse to enter Denmark?

- Visa Residence permit Other (state which)

Name of your company

CVR number

Which type of cross-border services do you provide to other EU countries?

Which EU country (countries) do you provide services to?

What proportion of your commercial activity is made up of service provision in:

Denmark?

The other EU country (countries)?

Other information you believe should be considered when evaluating your activities as a cross-border service provider:

**Declaration regarding residence in another EU country and for marriage/registered partnership/cohabitation**

By signing below, I hereby solemnly swear that the purpose of my marriage/registered partnership was not solely to allow the applicant to qualify for residence in Denmark.

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

- Fine or imprisonment for up to two years
- I can be required to reimburse the Danish state for any costs incurred as a result of the false information.
- My family members also seeking residence can lose their right to live in Denmark in accordance with Article 30, cf. Article 32 of the EU Residence Directive.

By signing below, I confirm that I have read, understood and accepted the terms laid out in this declaration.

Date and place

Signature

Have you remembered everything?

SIRI can process your application for family reunification faster if it is correctly filled out and contains the required documents.

It is therefore important that you make certain that the forms are filled out correctly and that you have attached the relevant documents.

We recommend using the checklist below before submitting the application.

Checklist**Before submitting your application, please make sure, that you have done the following:**

- Answered all questions.
- Signed and dated the information form.
- Signed and dated the declaration regarding residence in another EU country and your marriage/registered partnership/cohabitation in section 1.
- Included proof of cohabitation (required only if you are not married/registered partners).
- Included proof of financial support or sign and date the "Declaration for students" (students only) (required only for self-supporting individuals or students).
- Included any documents to shed light on and support your residence and grounds of residence in another EU country. See examples of documents below.
- Included proof that you were employed during the stated period. Acceptable documentation includes: employment contract, pay statements, termination notice, work description (weekly/monthly job slips stating hours worked).
- Signed and dated "Attachment A: Declaration of cohabitation" (required only if you are not married/registered partners).
- Signed and dated "Attachment B: Sworn declaration that I will support the applicant" (required only if you are not married/registered partners).
- Signed and dated "Attachment C: Information required for applications for family reunification with a spouse who is a Danish citizen living in Denmark and who provides cross-border services to other EU countries" (required only if you are a cross-border service provider).

Examples of documents that can shed light on and support your residence in another EU country

Your (the Danish citizen's) establishment of *genuine and effective residence* in another EU country:

- Lease, receipts for rent payments, deed, etc. regarding the Danish citizen's residence in another EU country.
- Receipts for utility payments – including electricity, heat, water, telephone service, internet service, etc, provided to the Danish citizen's home in another EU country.
- Receipts for payments to insurance an insurance policy covering the Danish citizen in another EU country (homeowner's insurance, car liability, etc.).
- Proof that the Danish citizen has registered as a resident of another EU country (register of persons, tax authorities, immigration authorities, etc.).
- Proof of the Danish citizen's financial, social or familial activity in another EU country (bank account, children's enrolment at school, club membership, educational activities).
- Proof of the Danish citizen's financial transactions in another EU country (receipts with the Danish citizen's name or payment card number – submitted together with copies of both sides of the payment card, bank statements, etc.).
- Records showing the Danish citizen's mobile telephone activity while in another EU country.
- Receipts, tickets, etc. for transport between Denmark and another EU country, if the Danish citizen has commuted between the two countries.
- Proof that the Danish citizen has cancelled a lease in Denmark, or sold or sublet property before moving to another EU country (includes receipts for removal services and storage expenses)
- Other documentation to support that the Danish citizen has established a genuine and effective residence in another EU country.

The Danish citizen's *grounds of residence* in another EU country:

- The Danish citizen's employment contract and pay statements for the past three months, or documents showing the Danish citizen's income or other financial resources while living in another EU country.
- Documentation of the foreign spouse's income or financial resources while the Danish citizen lived in another EU country, if the foreign spouse supported the Danish citizen financially during that period.
- Documentation showing the Danish citizen's salary other sources of income or financial resources in Denmark after returning to Denmark.