



OD1 Online

1. Sworn 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 EU residence document 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 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.

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, 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 Return Agency, 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.

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 (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)
- 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.

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 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. 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 an EU residence document.

Verification may involve the following:

- Checking public registers, such as the Civil Registration System (CPR)
- 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 and spot-check process.

2. Consent for SIRI to exchange information in the case with my sponsor (family member)

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. See section C "Information on how we process your data" above

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 (e.g. if we cannot get in touch with you). If you would like SIRI to be able to share information with your sponsor, 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. 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.



(check the box)

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

3. Signature – applicant

I confirm by my signature that I have provided correct information in the application form and that I have read and accepted the contents of section A of the sworn declaration.

I also confirm that I have made a decision regarding whether or not to consent to share information to a greater extent.

I also understand that the information I have provided or will provide will be recorded in SIRI's registers.

Date and place

Signature

4. Signature - the custody holder

If the applicant is an accompanying child under 18 years, the custody holder must normally also sign the application. If the custody holder is unable to sign the declaration, another person over 18 can sign on his/her behalf. In this case, a power of attorney must be attached.

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 A.

I also confirm that I have made a decision regarding whether or not to consent to share information to a greater extent.

I also understand that the information I have given or will be giving will be registered in SIRI's registers

Relation to the child

Date and place

Signature