



**Ministry of Immigration
and Integration**

Danish Agency for International
Recruitment and Integration

How to avoid employing foreign nationals illegally

Information for employers in Denmark



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Your responsibility

This booklet describes how to avoid employing foreign nationals illegally in Denmark.

It is your responsibility as an employer to ensure that a foreign employee is allowed to work for you. This concerns both paid work and non-paid (voluntary) work. If you employ a person who is not allowed to work for you, you may be subject to a fine or imprisonment. A fine can be up to DKK 50,000 per month per person employed illegally by you. Under certain circumstances the fine could be even larger.

How to get started

Before employing a foreign national you have to determine the nationality of the person. You do so by checking the person's passport. **Nationality*** is stated on the first page of the passport.

Who can start working immediately?

If the foreign national is a **Nordic** citizen, they can start working immediately. The Nordic countries are:

Finland

Iceland

Norway

Sweden

If the foreign national is an **EU/EEA**, or **Swiss** citizen, they can start working immediately. If they plan to stay for more than 90 days, they must apply for a registration certificate at the Danish Agency for International Recruitment and Integration (SIRI). This applies to citizens of the following countries:

Austria

Estonia

Latvia

Portugal

Belgium

France

Liechtenstein

Romania

Bulgaria

Germany

Lithuania

Slovakia

Croatia

Greece

Luxembourg

Slovenia

Cyprus (only
the Greek Part of
Cyprus)

Hungary

Malta

Spain

Czech Republic

Ireland

The Netherlands

Switzerland

Italy

Poland

Who needs a work permit?

Citizens of countries outside the **Nordic** countries, the **EU/EEA**, and **Switzerland** must hold a valid permit to work in Denmark.**

Accompanying family members who work for the same company as the main applicant or a closely related company will have to obtain a separate work permit.

Foreign nationals with a residence permit issued in order to obtain Danish authorisation as a medical doctor, dentist, or nurse must have a separate work permit in order to work in Denmark.

A work permit may be granted with certain restrictions. For example students in a higher educational programme are only allowed to work 20 hours a week, but full time in June, July, and August.

Furthermore, a work permit may be limited to one specific employer or one specific job.

* Some people have an alien's passport instead of a national passport. For example, a Russian citizen might have a Latvian alien's passport. However, this does not mean that they are a Latvian citizen, and consequently, they need a valid work permit in order to work in Denmark. Make sure to check the **nationality** of the person you wish to employ.

** Family members of citizens of the EU/EEA countries (Iceland, Liechtenstein, and Norway), or Switzerland do not need a work permit if the conditions for residence within the rules of the European Union have been met. Under certain conditions posted employees who work for an EU based company, which is to provide a service in Denmark, will not need a work permit. You can contact SIRI for guidance on these conditions, or you can find information on newtodenmark.dk. Upon application, SIRI issues EU residence documents as proof of the right to reside in Denmark.

What does a work permit look like?

If a foreign national has a residence permit in Denmark, they will have a residence card to prove this. A residence card is a credit card-sized plastic card.

If the holder is entitled to work, it will be stated on the residence card. It will also be stated if the right to work is limited, or if the holder is an accompanying family member who is not allowed to work for the same company as the main applicant.



How to check if a person is allowed to work

When you employ a foreign national you must make sure that:

- the residence card is issued in Denmark.
- the card holder is identical with the person on the residence card and the person in the passport (age, height, colour of eyes, facial image, etc.).
- the card is valid (date of expiry).
- the type of card entitles the holder to work for you. You can do so by comparing the type of card with the rights regarding work stated on the card. You can find an overview of the different types of cards on page 10-11.

Documents not valid as proof of the right to work

The following is examples of documents which are **not** proof of a valid work permit:

- Electronic tax card (eSkattekort)
- Health insurance card (Sundhedskort)
- Residence cards issued in other countries (for instance Sweden)

Common misunderstandings

- The employee has a residence permit from another **EU** country. This does not entitle the card holder to work in Denmark.
- The employee has a residence card type Z and works for more than 20 hours a week (outside the months of June, July, and August).
- The employee has a residence card type R. The employer employs the card holder after the work permit has expired and the card holder has not applied for an extension of the permit.
- The employee has a residence card type J, but is employed by another employer than the one stated on the card.*
- The employee has a residence card type C and is employed by the same company as the main applicant. The employee has not applied for a work permit.**
- The employee has a residence card type E issued in order to obtain a Danish authorisation as a medical doctor, dentist, or nurse and works without at separate work permit.
- The employee has taken up residence outside Denmark, e.g. in Sweden and continues working without applying for a new permit as a commuter (card type P). Employees with a residence permit as a researcher or under the Fast Track-scheme do not need a card type P.

* Applies only to residence card J issued by SIRI. Other rules apply to residence card J issued by The Immigration Service. Check page 10-11 for more information.

** Applies only to applications submitted to SIRI after 1 January 2021.

Additional advice

We recommend that you:

- always make sure to see the original residence card.
- keep colour copies of all relevant documents concerning the employee, that is, a copy of the passport and both sides of the residence card. If the employee is a **EU/EEA**, or **Swizz** citizen, you only need to keep a copy of the passport.
- note the expiry date of the work permit and make sure that the employee applies for an extension when the expiry date is coming up.
- make sure that the person showing up at work is identical with the person you employed.

Overview of the different types of residence cards

Card type	Issued by	Duration of permit	Rights
Card A	SIRI	Temporary	Work permit.
Card B	SIRI	Permanent	Work permit.
Card C	SIRI/US*	Temporary	Work permit.
Card D	US	Permanent	Work permit.
Card E	SIRI/US	Temporary	Not permitted to work.
Card F	US	Temporary	Work permit.
Card G	SIRI/US	Temporary	Work permit.
Card H	US	Permanent	Work permit.
Card J	SIRI	Temporary	Work permit limited to a specific job and a specific employer.
Card J	US	Temporary	Work permit.
Card K	SIRI	Temporary	Work permit.

Card type	Issued by	Duration of permit	Rights
Card L	SIRI	Permanent	Work permit.
Card M	UM**	Temporary	Work permit.
Card P	SIRI	Temporary	Work permit. No right to residence.
Card R	SIRI	Temporary	Work permit.
Card S	SIRI	Temporary	Work permit.
Card V	UM	Temporary	Work permit limited to a specific job and a specific employer.
Card Y	SIRI	Temporary	Work permit. No right to residence.
Card Z	SIRI	Temporary	Work permit.

* The Danish Immigration Service (US)

** The Ministry of Foreign Affairs of Denmark (UM)

! It will be stated under **remarks/further remarks** on the back side of the residence card if the permit is limited or gives certain rights. The different types of residence cards may apply to various residence schemes. Some permits only give the right to work for a specific employer or for an employer for a limited period of time. Other permits only give the right to work but not to stay in Denmark.

Residence cards issued before 28 October 2020

Please follow the instructions to check if you can safely employ the card holder.

Check if the card holder is identical with the person on the card.

DK means that the card has been issued in Denmark.

Check the expiry date.



Check the type of residence card. Pay special attention if the card type is E, J, P, R, V, and Z due to limitations to the right to work.

Residence cards issued from 28 October 2020

Please follow the instructions to check if you can safely employ the card holder.

Check if the card holder is identical with the person on the card.

Check the expiry date.

DK means that the card has been issued in Denmark.



Check the type of residence card. Pay special attention if the card type is C, E, J, P, R, V, and Z due to limitations to the right to work.

You can find updates on all relevant issues concerning employment of foreign nationals on newtodenmark.dk

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