



Application form

For official use only

Personal ID / Alien identification number (Udl. nr.)	Date received	Received by (stamp and name)
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BF2/US_en_121025

Application for a residence permit on the grounds of asylum or family reunification not to be considered as lapsed (adults and any accompanying children)

Uses

Use this form if you hold a residence permit on grounds of **asylum** or **family reunification**, and you want to apply for your residence permit to **remain valid**, even though you:

- have stayed outside Denmark for an extended period of time
- no longer maintain an address in Denmark *or*
- are otherwise not included in the Civil Registration System (CPR)

You can use this form if you are 18 years old or above. If you have an accompanying spouse and/or children, they can be included in this application.

If you are younger than 18 years and you do not apply together with an adult, you should not use this form, but instead use the printable form BF3/US.

On the two last pages of the form you can read more about what lapsing of residence permit means, how a residence permit can lapse, and what is required for a residence permit to be reinstated.

Instructions

You who are applying must do the following:

1. Fill out and sign the form
2. Attach the required documentation
3. Submit the application to a Danish diplomatic mission in the country you are residing. If you are in Denmark, the application can be sent to the Immigration Service.

What documents should I include with my application?

- A copy of your passport (all pages including blank pages and cover)
- Documentation of the unforeseen circumstance, such as a doctor's statement

- Documentation that your stay abroad has had a well-founded purpose such as work, education etc.
- Other information as described in the sections in the form.

The enclosed documentation must be in English or Danish.

If you do not enclose the necessary documentation, we will normally make our ruling in your case based on the information we already have.

How we process personal data

You can read more about the processing of your personal data and your rights in the fact sheets about data protection which you will find at the back of the form.

For more information

More information about the rules governing dispensation from lapsing is available at newtodenmark.dk, where you can also find information about processing times. If you have questions when filling out the forms, you can also contact the Danish Immigration Service. See contact information at www.newtodenmark.dk/contact-us.

To expedite the application process

Your case can be processed with the shortest possible processing time if you fill out the form correctly and enclose all required documentation and information.

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

1. The applicant PLEASE COMPLETE IN CAPITAL LETTERS

Given name(s)		
Surname	Personal ID	
Nationality	CPR number	
Email address	Telephone number	
Your current address (street, no., C/O name, city, country)		
Do you have access to your digital post via eBoks or lifeindenmark.dk?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
Do you have any of your accompanying family members (spouse/cohabiting partner or children under the age of 18) who is also included in this application for a residence permit not to be considered as lapsed?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes , please list the names and CPR numbers of each family member:		
Name	CPR number	Family relation

2. Information about your exit from Denmark PLEASE COMPLETE IN CAPITAL LETTERS

Please note: Section 2 should only be completed if you **have left** Denmark. If you are applying for reinstatement because you are no longer included in the Civil Registration System (CPR), you can skip this section and continue to Section 3.

Your latest address in Denmark (street and number)	Postal code and city
When did you leave Denmark?	
Have you returned to Denmark?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes : When did you return?	
For how long have you been outside Denmark?	

Did you intend to be outside Denmark for so long?

Yes No

If **no**: What prevented you from returning in time, e.g. illness?

You must **enclose documentation** showing what prevented you from returning to Denmark, e.g. a doctors' statement.

What was the purpose of your stay abroad? (e.g. work or education)

You must **enclose documentation** that the purpose did exist during your entire stay abroad. You must enclose an employment contract, a statement from your employer, documentation for a study stay or likewise.

Where did you travel to?

Where did you live while abroad? (State any C/O addresses and relationship if the individual you stayed with is a member of your family.)

Was it your own decision to leave Denmark?

Yes No

If **no**: Whose decision was it? (State the person's name and relation to you.)

Were you travelling alone?

Yes No

If **no**: Who were you travelling with? (State names of any travelling companions and their relationship to you.)

What did you do with your residence in Denmark while you were abroad? (Did you e.g. sell your residence, rented it out, or terminated your lease.)

What did you do with your possessions (furniture etc.) when you left Denmark? (Did you e.g. sell them, give them away, remove them from your residence, store them or leave them there.)

Were you deregistered in the Civil Registration System (CPR)?

Yes No

If **yes**: Did you deregister yourself?

Yes No

If **no**: Who deregistered you?

Why were you deregistered?

3. Your addresses in Denmark

PLEASE COMPLETE IN CAPITAL LETTERS

Please note: Section 3 is to be completed only if you have **not** departed from Denmark and have been in Denmark for the entire time, but have been excluded from the Civil Registration System (CPR).

Who did you live with during the period, you were deregistered and where did you live? (State name, address, telephone number and e.g. family relation to the person(s), you have lived with.)

You must **enclose documentation** showing where you have lived, e.g. letters sent to you at the address.

Have you taken short trips outside Denmark?

Yes No

If **yes**, please state when and the purpose of your trips.

Were you employed or have been studying during the period in which you were deregistered from CPR?

Yes No

If **yes**, please **enclose documentation** for the work or study.

Did you personally request to be taken off the CPR?

Yes No

If **no**: Who deregistered you?

Why were you deregistered?

Were you in contact with the public authorities while you were deregistered from CPR?

Yes No

If **yes**, please enclose documentation that the contact took place, e.g. in form of letters you have received from the municipality or other authorities.

What was your previous address prior to your current address?

4. Information about your attachment to Denmark

PLEASE COMPLETE IN CAPITAL LETTERS

Please note: Section 4 is to be completed only if you have a residence permit in Denmark as a refugee.

Do you speak Danish?

Yes No

Do you read Danish?

Yes No

Do you write Danish?

Yes No

Have you attended school in Denmark?

Yes No

If **yes**: Please state the name and address of the school and please specify which classes you have attended, and for how long.

Please **enclose documentation** for attending school in Denmark.

Did you accomplish any education in Denmark apart from primary school?

Yes No

If **yes**, please state the name and the address of your educational institution and which education you accomplished.

Please **enclose documentation** for education in Denmark.

Have you worked in Denmark?

Yes No

If **yes**, please state the name and the address of your working place and specify what job you had.

Please **enclose documentation** for your work in Denmark.

Do you have family members living in Denmark?

Yes No

If **yes**, please state name, address and family relationship.

Have you lived together with the above-mentioned family members?

Yes No

If **yes**, please state with whom you have lived.

Do you have children under the age of 18 in Denmark who do not live together with you?

Yes No

If **yes**, how much are you together with the children?

5. Information about your attachment to your country of your residence

PLEASE COMPLETE IN CAPITAL LETTERS

Please note: Section 5 is to be completed only if you are not in Denmark and if you have a residence permit in Denmark as a refugee.

Do you stay in a country that is not your home country (by home country we mean the country you fled from)?

Yes No

If **yes**: Do you have a residence permit in the country?

Yes No

If **yes**: Which kind of residence permit do you have?

For how long is the residence permit valid?

Please **enclose** a copy of your resident permit in the country.

In which period(s) have you resided outside Denmark?

Do you speak the language of the country where you reside?

Yes No

Do you read the language of the country where you reside?

Yes No

Do you write the language of the country where you reside?

Yes No

What have you been doing while you were abroad?

Attending school

What school/schools? (State the name og address of the school(s))

In which period(s) have you attended school?

Which courses did you attend?

Being enrolled in education

What education?

Being employed

What kind of work? (State the name and address of the employer(s))

In which period(s) have you been employed?

Other

What else have you been occupied with?

Please **include documentation** for the things you have been doing while you have been abroad.

Do you have family members living in the country where you reside?

Yes No

If **yes**, please state the name, address and family relation:

Have you lived together with the above-mentioned family members?

Yes No

If **yes**, please state with whom you have lived:

Did you get married during your stay outside Denmark?

Yes No

If **yes**, When did you get married?

Whom did you marry? (State name)

Who decided that you should marry?

Did you have any children during your stay outside Denmark?

Yes No

If **yes**, please state the children's names, date of birth and place of residence:

6. Applicant's comments

PLEASE COMPLETE IN CAPITAL LETTERS

Please add any information that you believe may have an impact on the assessment of your application.

Please include documentation, if any.

7. Sworn declarations

A. Sworn declaration of correctness

I 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:

- Fine or imprisonment of up to two years (Criminal Code section 161 cf. Aliens Act section 40)
- I can be required by law to repay the expenses incurred by the Danish state as a consequence of the false or incomplete information (Aliens Act section 40)
- My residence permit can be revoked (Aliens Act section 19)

B. Declaration of consent to allow authorities to gather necessary information

I consent to letting the Immigration Service obtain information about my pure private affairs from other Danish authorities, including the police authorities, for the purpose of enabling them to process my application (Public Administration Act section 29).

Such information includes:

- Criminal conditions
- Health conditions
- Intern family conditions
- Social conditions

C. Information about data protection

You can get information about how the Immigration Service and the Ministry of Foreign Affairs of Denmark process your data and about your rights in the fact sheet at the back of the form.

D. Notification that information can be released to Danish intelligence agencies and prosecuting authorities

The information and documentation you submit with your application can be released to Danish intelligence agencies and the Danish public prosecuting authority (Aliens Act section 45 a and section 45 c). This process can be initiated by Danish immigration authorities, Danish intelligence agencies or the Danish public prosecutor.

The prosecuting authority will be able to use the information to evaluate whether there are grounds for prosecuting you for crimes committed in Denmark or abroad, to identify victims of or witnesses to a specific crime, or to aid foreign law enforcement agencies.

E. Notification that some information will be passed on to local Danish authorities

The Danish immigration authorities might give certain information to authorities in your municipality (kommune). This includes information about the grounds for issuing you a residence permit. The municipality will be informed if your residence permit is found to be lapsed.

F. Information that some information will be passed on to your employer

The Danish immigration authorities will inform your possible current and previous employers, who you have been working for within the last 3 months, if your application for residence permit is refused, if extension of your residence permit is denied, if the residence permit has lapsed or is being revoked (Aliens Act section 44a).

The immigration authorities can obtain information in the income registry (eIndkomst) about the salaries that have been paid to you within the last 3 months if necessary (Aliens Act section 44a).

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

The Danish Immigration Service as well as other authorities 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 an extension of your residence permit. If you are granted an extension and the Danish Immigration Service 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 the Danish Immigration Service 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 Civil Registration System (CPR)
- Comparison of information contained in the Danish immigration authorities' registries 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 (the applicant)

By signing below, I confirm that I have read, understood and accepted the terms laid out in Section 7A-B and that I have read and understood the terms laid out in Section 7C-G.

Name

Date and place

Signature

Have you remembered everything?

If the application is correctly filled out and contains the required documents, the Immigration Service can process your case with the shortest possible processing time. The expected maximum processing time can be found at www.newtodenmark.dk/us-times. It is therefore important that you make certain that the forms are filled out correctly and that you have included the necessary documents before submitting your application.

We recommend using the checklist below before submitting the application.

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

- A copy of your passport (all pages including blank pages and cover).
- Documentation of the unforeseen event that prevented you from returning to Denmark, such as a doctor's statement (if applicable) (refer to Section 2).
- Documentation that your stay abroad has had a well-founded purpose such as work, education etc. (if applicable) (refer to section 2).
- Documentation of your return to Denmark, such as an airplane ticket (if applicable) (refer to Section 2).
- Documentation that you were attending school or working (if applicable).
- Documentation of your whereabouts, if you were not included in the Civil Registration System (CPR) (refer to Section 3).

Please also make sure that you have

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

Information about lapsing

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.

We normally recommend that you always submit an application for dispensation of lapsing, before you submit an application for a new residence permit.

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 certain period without losing your residence permit.

- If you have a residence permit with a view to temporary residence you may leave Denmark for a maximum of 6 months in a row.
- If you have residence permit in Denmark with the possibility of permanent residence and you have resided legally in Denmark for less than 2 years, you may leave Denmark for a maximum of 6 months in a row.
- If you have residence permit in Denmark with the possibility of permanent residence and you have resided legally in Denmark for more than 2 years with a view to permanent residence, or have a permanent residence permit, you may leave Denmark for a maximum of 12 months in a row.

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 apply to have my residence permit reinstated?

Under certain conditions The Danish Immigration Service can reinstate your residence permit. In such cases, you must prove that:

- you intended to return to Denmark within the time limit (six or 12 months), and
- you were prevented from returning to Denmark due to unforeseen circumstances beyond your control, such as: illness, detainment, war, natural disasters or problems leaving the country in which you were staying, or
- that your stay abroad has had a well-founded purpose such as work, education etc.

You must apply as soon as possible to have your residence permit reinstated, that is as soon as you are able to return to Denmark.

If you have been sent on a re-education trip

In principle, your residence permit does not lapse if the stay abroad is due to you having been sent on a re-education trip or any other trip abroad with negative implications as a minor.

Information about data protection in the Danish Immigration Service

Data controller

The Immigration Service is responsible for processing the personal data you provide in this application form and for the data about you we receive in connection with processing the case. Our contact information is: Danish Immigration Service, Farimagvej 51A, 4700 Næstved, CVR-nr.: 77940413, telephone: +45 35 36 66 00, www.newtodenmark.dk

Data protection officer

If you have questions about how we process your personal data, you can contact our data protection officer who has the following contact information: Danish Immigration Service, Farimagvej 51A, 4700 Næstved, Att: Databeskyttelsesrådgiver/Data protection officer

You can also write to our data protection officer via Digital Post (e-Boks) or through our contact form at www.newtodenmark.dk/contact-us

Purpose and legal basis

Your data are collected in order to process your application for residence and the possible following residence in Denmark and to control the requirements for this.

The legal basis for processing your personal data is:

- provisions of the Aliens Act (udlændingeloven), in particular: section 1 (relating to entry into Denmark and residence)
- the General Data Protection Regulation (GDPR) 6.1(c) (relating to the processing of data in order to comply with a legal obligation to which the controller is subject) and 6.1 (e) (relating to the exercise of official authority vested in the Immigration Service by the Aliens Act)
- GDPR 9.2 (f) (relating to the necessity of processing in order to establish, exercise or defend legal claims)
- The Data Protection Act section 8 (relating to the administration only being allowed to process information about criminal offences if it is necessary for the official authorities' tasks).

You are obligated to provide the information necessary for processing your application (Aliens Act section 40). Failure to provide the information can result in a fine or up to one year's imprisonment (Aliens Act section 60).

The information you supply or have supplied in connection with your application will be registered in the Danish immigration authorities' registers.

Types of personal data

We process the following types of data about you:

- General personal data, such as: information about your identity; citizenship and nationality; travel routes; information about your family; memberships of associations; financial information; information about your refugee status; and whether you have committed any legally punishable offences
- Sensitive personal data, such as: political opinions or religious beliefs; health information and biometric data collected for the purpose of establishing your identity.

Recipients and categories of recipients

The Immigration Service can, in certain situations, share your data with other authorities. We regularly share data with: the police, municipal authorities, the Danish Security and Intelligence Service and the Danish Defence Intelligence Service (in accordance with section 45 a of the Aliens Act), the public prosecutor (in accordance with section 45 c of the Aliens Act), the Immigration Appeals Board, the Refugee Appeals Board, The Ministry of Immigration and Integration, the Danish Return Agency, The Danish Agency for International Recruitment and Integration, The Danish Parliament, and the Foreign Ministry, in particular the embassies and consulates.

Data are shared when it is necessary for the Immigration Service to exercise our official authority, including when we are legally obliged to share data.

In certain situations, the Immigration Service may provide data to a third-party data processor. In addition, other authorities and private organisations can have access to this information (Aliens Act section 44a). In isolated cases, the Immigration Service will share data with other public authorities, private-sector organisations and foreign organisations and authorities.

Origin of information

The Immigration Service processes the personal data you have provided in this application form and data you may provide at a later point in the case process.

In addition, we will process data obtained from:

- any of your possible previous cases with the Immigration Service,
- searches in databases, such as: the Civil Registration System, the income register (eIndkomst), the Central Register of Buildings and Dwellings (BBR), the Central Crime Register (KR), the Central Passport Register, the Schengen Information System (SIS), Entry/Exit System (EES),
- other authorities, such as: the police, municipal authorities, the Danish Agency for International Recruitment and Integration, the Immigration Appeals Board, the Refugee Appeals Board, the Danish Security and Intelligence Service, The Ministry of Immigration and Integration, the Danish Return Agency, and the Foreign Ministry, in particular the embassies and consulates, and

- third-parties, such as: employers and educational institutions.

Storage of data

The Immigration Service will store your data for as long as it is necessary for us to establish or defend a legal claim to residence.

Data submitted as part of an immigration-related matter can be stored for use by the Immigration Service at a later date. The data stored by the Immigration Service can be used in applications to extend a residence permit, when revoking a residence permit, when lapsing a residence permit, applications for permanent residency, applications for naturalisation, when revoking citizenship and in your children's cases, or in the event they may be involved in an application for family reunification.

If data can be deleted at an earlier point, deletion will be considered. Similarly, access to data can be restricted.

Finally, it should be mentioned that data will also have to be transferred to the National Archives within 30 years, in accordance with section 13 of the Archive Act (arkivloven).

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

Consent

The Immigration Service does not request consents in order to process personal data, as is otherwise required by the GDPR, since processing authority is granted by 6.1 (e) and 9.2 (f) of the GDPR (see section 3).

You may be asked for legal consent. Such a consent is not the basis for the specific procession of personal data but is instead a warranty provision in accordance with e.g. the Public Administration Act (forvaltningsloven) or the Aliens Act.

Rights

Under the GDPR, you have certain rights:

- You have the right to access which data about you the Immigration Service is processing.
- You have the right to request that corrections are made to personal data about you that you feel are inaccurate.
- In special situations you have the right to have data about you deleted or to restrict the processing of your personal data, if the data is no longer necessary for the processing of your case.
- You have the right to object to otherwise legal processing of your personal data.

You can read more about your rights in the Danish Data Protection Agency's guidance about the GDPR at www.datatilsynet.dk. If you would like make use of your rights under the GDPR, contact the Immigration Service.

You can also read about your rights regarding the Entry/Exit System (EES), including the processing and storage of information, at www.newtodenmark.dk/EES-personaldata.

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. Information about how to do so is available at www.datatilsynet.dk

Information about data protection in the Ministry of Foreign Affairs of Denmark

The Ministry of Foreign Affairs of Denmark is responsible for the processing of personal data, when the Ministry or a Danish Diplomatic Missions (Embassy or General Consulate) assists the Danish Immigration Service in matters regarding the Aliens Act.

Data controller

The Ministry of Foreign Affairs of Denmark is the data controller of the processing of data collected from the application form and data collected from your case, when your application is submitted to a Danish Diplomatic Mission or a private company that has made an agreement with a Danish Diplomatic Mission or the Ministry of Foreign Affairs of Denmark regarding the handling of certain administrative tasks regarding residency. The Ministry of Foreign Affairs of Denmark is also the data controller, when the Ministry or the Danish Diplomatic Mission (Embassy or General Consulate) exercises tasks regarding the processing of your case – including interviews, DNA-tests and verification of documents.

Data Protection Officer

If you have questions about the processing of your personal data done by the Ministry of Foreign Affairs of Denmark, please contact our Data Protection Officer: Ministry of Foreign Affairs of Denmark, Asiatisk Plads 2, DK-1448, Copenhagen K, Att. *Data Protection Officer*, e-mail: dpo@um.dk

Purpose and legal basis

The purpose of collecting personal data and the legal basis for the processing of your data corresponds to the purposes and legal basis of the processing done by the Danish Immigration Service – see 'Information about data protection in the Danish Immigration Service' above.

Types of personal data

The Ministry of Foreign Affairs of Denmark process the same category of data as the Danish Immigration Service – see 'Information about data protection in the Danish Immigration Service' above.

Recipients or categories of recipients

The Ministry of Foreign Affairs of Denmark transfers the collected data to the Danish Immigration Service.

The Ministry of Foreign Affairs of Denmark, including the Diplomatic Missions, may in some cases transfer your data to a data processor, who will then process your data on the behalf of the Ministry of Foreign Affairs of Denmark and the Diplomatic Missions.

The Ministry of Foreign Affairs of Denmark may also transfer your data in certain isolated cases to other public authorities, private-sector organizations, foreign organizations and authorities in relation to the verification of documents.

Origin of information

The Ministry of Foreign Affairs of Denmark processes the personal data you have provided in this application form and data you may provide at a later point in the case process.

Storage of your data

The Ministry of Foreign Affairs of Denmark will store your data for as long as it is necessary in order to exercise the Ministry's responsibilities in relation to the case process. As a main rule the Ministry will store your data in our filing systems for 5 years where they will be erased subsequently. In isolated cases we may store your data for a longer period of time. In this case the data will have to be passed on to the National Archives within 30 years (section 13 of the Archive Act (arkivloven)).

If you have your finger prints and facial photo taken for the use of your residence card when you apply for residency at a representative or a private company, your finger prints and facial photo will be stored in the filing systems of the Ministry of Foreign Affairs of Denmark. This information will be erased after 30 days from when a decision has been made in your case or at latest 2 years after collected.

Consent

We refer to the paragraph on consent in 'Information about data protection in the Danish Immigration Service' above.

Rights as a data subject

We refer to the paragraph on rights in 'Information about data protection in the Danish Immigration Service' above. You have the same rights for the processing done by the Ministry of Foreign Affairs of Denmark. If you wish to invoke your rights regarding the processing done by the Ministry of Foreign Affairs of Denmark, please contact the Ministry of Foreign Affairs of Denmark.

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 the Ministry of Foreign Affairs of Denmark process your personal data. Information about how to do so is available at www.datatilsynet.dk.