



Application form

BF3_en_121022

Application for a residence permit on the grounds of asylum or family reunification not to be considered as lapsed (children who are not applying with an adult)

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, or
- no longer maintain an address in Denmark

The form is for children under the age of 18 who are not applying with an adult. In the form, the word "you" is used to address the applicant, that is, the child who is applying for her/his residence permit not to be considered as lapsed.

If you are a child and applying with an adult or you are over the age of 18 you must use the printable form BF2/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.

Re-education trips

If your stay abroad resulted from you being sent on a re-education trip or any other trip abroad with negative implications, your residence permit will normally not lapse.

Instructions

You who are applying must do the following:

1. Fill out and sign the form.
2. Attach the required documentation .
3. If you are abroad, submit the application to a Danish diplomatic mission in the country you are residing in. The application can also be sent to the Immigration Service via our contact form at www.newtodenmark.dk/contact-us

What documents should I include with my application?

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

How we process personal data

You can read more about the processing of your 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.



For officials only

Personal ID / Alien identification
number (Udl. nr.)

Date received

Received by (stamp and name)

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**Application for a residence permit on the grounds of asylum or family reunification
not to be considered as lapsed (children who are not applying with an adult)**

1. Applicant (the child)

PLEASE COMPLETE IN CAPITAL LETTERS

Given name(s)

Surname

Personal ID

Nationality

CPR number

Email address

Telephone number

Your current address (street, no., co., C/O name, city, country)

Important: You must inform the Immigration Service of any changes that are made to your address or contact information.

2. Information about your (the child's) exit from Denmark

PLEASE COMPLETE IN CAPITAL LETTERS

Your latest address in Denmark (street and number)

Postal code and city

When did you leave Denmark?

Have you returned to Denmark?

Yes 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 doctor's statement.

Where did you travel to?

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

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

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

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)

If **no**, did you agree with this decision?

Yes No

If **no**, have you tried to contact other authorities to avoid your residence permit lapsing?

Yes No

If **yes**, which authorities have you contacted/tried to contact?

If **no**, why have you not tried to contact other authorities?

Were you traveling alone?

Yes No

If **no**, who did you travel with? (State names of any traveling companions and their relationship to you)

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. Information about your attachment to Denmark

PLEASE COMPLETE IN CAPITAL LETTERS

Please note: Section 3 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 workplace and specify what job you had

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

Do you have any 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

Have you had contact with your family in Denmark while residing outside of Denmark?

Yes No

If **yes**, how and how often have you been in contact with your family in Denmark (phone calls, e-mails, or letters)?

If **no**, why have you not been in contact with your family in Denmark?

Do you have other relationships in Denmark? E.g. friends or schoolmates?

Yes No

If yes, have you been in contact with them while residing outside of Denmark?

Yes No

If **yes**, how and how often have you been in contact with your family in Denmark (phone calls, e-mails, or letters)?

4. Information about your attachment to your country of origin/country of residence

PLEASE COMPLETE IN CAPITAL LETTERS

Please note: Section 4 is to be completed only if you are **not** in Denmark and if you have a residence permit in Denmark as a refugee.

What is your country of origin? (By country of origin, we mean the country that you have fled from)

Do you reside in a country that is not your country of origin? (Later during the application, you will also declare whether or not you have been to your country of origin)

Yes No

If **yes**, do you have a residence permit in the country that you reside in?

Yes No

If **yes**, what can of residence permit do you have?

For how long is the residence permit valid?

You **must attach** a copy of your residence permit from the country.

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

Do you speak the language of the country in which you reside?

Yes No

Do you read the language of the country in which you reside?

Yes No

Do you write the language of the country in which you reside?

Yes No

What have you been doing while you were abroad?

Attending school

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

In which period(s) have you attended school?

Which courses did you attend?

Was there a particular reason for you to attend this school?

Yes No

If yes, what was the reason?

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 period?

Other

What else have you been occupied with?

You must **attach documentation** for the things you have been doing while you were abroad.

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

Yes

No

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

Have you lived with the above-mentioned family members?

Yes

No

If **yes**, who have you lived with?

Did you get married during your stay abroad?

Yes

No

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

Who decided that you should marry?

Did you have any children during your stay abroad?

Yes

No

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

Applicant's comment

PLEASE COMPLETE IN CAPITAL LETTER

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

If applicable please attach documentation.

6. Sworn declarations

A. Sworn declaration of correctness

I solemnly swear that the information in this application is correct and complete. If the information is false or incomplete, I am subject to a fine or imprisonment of up to two years (Criminal Code section 161 cf. Aliens Act section 40).

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, to enable 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 have 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 a residence permit is refused, if an 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.

7. Signature

If the applicant (the child) is **over the age of 15**, we ask that both the child and an adult sign the application on behalf of the child.

If the child is **below the age of 15** only an adult is required to sign the application on behalf of the child. When an adult signs on behalf of the child, he or she must state their relationship to the child.

7.1 Applicant (the child)

By signing below, I confirm that I have read, understood, and accepted the terms laid out in Section 6A-B and that I have read and understood the terms laid out in Section 6C-G.

Date and place

Signature

7.2 The adult on behalf of the child

I have filled out the application on behalf of the applicant (the child) and confirm that I have read and understood the terms laid out in Section 6A-B and that I have read and understood the terms laid out in Section 6C-G

Name

CPR number

Relationship to the child

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 quickly. 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.

Checklist

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 circumstances, such as a doctor's statement (if applicable)
- Documentation of your return to Denmark, such as an airplane ticket (if applicable)
- Documentation that you were attending school or working (if applicable).

Please also make sure that you have

- answered all relevant questions and
- signed and dated the application in Section 7.

Information about lapsing

What happens if a residence permit lapses?

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

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

How can a residence permit lapse?

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

There are rules for how long you can stay outside of Denmark without losing your residence permit if you do not give up your address in Denmark. If 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 a 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, you may leave Denmark for a maximum of 12 months in a row. If you remain abroad for more than 6 or 12 months, your residence permit lapses automatically.

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?**What is needed in order for your (the child's) residence permit not to lapse?**

In order for your (the child's) residence permit not to lapse, meaning for the Immigration Service to decide that you are not to lose your right to reside in Denmark, you must prove that:

- you intended to return to Denmark within the time limit (6 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

You (the child) must apply as soon as possible to have your residence permit reinstated, that is as soon as you can return to Denmark.

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, Farimagsgvej 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, Farimagsgvej 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 and the Schengen Information System (SIS II),
- 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.

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.