

Application form

AF1_en_030423

Application for family reunification with a person who has residence permit in Denmark after having assisted the Danish authorities in Afghanistan

Uses

You can use this form if you wish to apply to be family reunified with a person who has been granted residence permit under section 1 (1) of the law to grant a temporary residence permit to persons who have assisted Danish authorities, etc. in Afghanistan (hereinafter the Special Law)

Who can be granted residence permit?

You can only be granted residence permit in Denmark on the grounds of family reunification to a person with residence permit after section 1 (1) if you are:

- Spouse,
- cohabiting partner, or
- child under the age of 18.

Different requirements for the residence permit apply depending on whether you are a spouse, cohabiting partner or child.

Requirements if you are a spouse/cohabiting partner

You must meet the following requirements if you are the spouse or cohabiting partner of the person in Denmark:

- You and your spouse or cohabiting partner have had a shared residence.
- You must be married or have had a longer cohabitant partnership in your shared residence.
- You are over the age of 18.
- Your spouse or cohabiting partner does not have another spouse or cohabiting partner residing in Denmark.

Requirements if you are a child

You must meet the following requirements if you are the child of the person in Denmark:

- You must be under the age of 18.
- You are unmarried.

Do you have to pay a fee?

You must not pay a fee for your application, when you apply for residence permit under the Special Law.

Family reunification under the Aliens Act

If you are family member who cannot be granted residence permit after the rules of the Special Law, you can apply for residence permit after the rules in the Aliens Act.

Read more at www.newtodenmark.dk/family

Instructions

To apply for a residence permit in Denmark you can do the following:

1. Fill out and sign this form.
2. Attach documents, if applicable.
3. Submit the application form.

Which documents must you include?

We recommend that you include documents proving your identity and relation to the family member in Denmark if you have these in your possession.

This can e.g. be a copy of identity documents such as passport, birth certificate, nationality certificate, marriage certificate.

How to submit the application

Your application for residence permit under the Special Law can be submitted whether you are in Denmark or abroad.

You can submit the application by yourself or your family member in Denmark can submit it on behalf of you. Please note that all texts in the form is aimed at the applicant who does not yet have residence permit in Denmark.

You can submit the application by sending it to us by using our contact form at newtodenmark.dk. You can also send it via regular mail to our address.

You can find our contact form and other contact information at www.newtodenmark.dk/contact-us

Recording of biometric features

You must have your fingerprints and facial photo (biometric features) taken in order to get a residence card. You will receive further information on how to have your biometric features recorded when it is relevant in your case.

To expedite the application process

Your application can be processed with the shortest possible processing time if you fill out the form correctly and include the documentation that proves your identity and relation.

The processing time may be **longer** if the application does not include the necessary information or documents. We recommend, you use the check list at the end of the form.

For more information

More information about the rules governing residence permits and our application processing times is available at newtodenmark.dk. 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.

1. The applicant		PLEASE COMPLETE IN CAPITAL LETTERS	
Given name(s)			
Surname			
Nationality		Former nationality (if applicable)	
Date of birth (day, month, year)			
Place of birth (city)		Country of birth	
Phone number		Email address	
Gender <input type="checkbox"/> Male <input type="checkbox"/> Female		Current marital status <input type="checkbox"/> Cohabiting/unmarried <input type="checkbox"/> Married <input type="checkbox"/> Divorced	
Where are you currently residing?			
Do you have minor children? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes inform the following about the child/children:			
Name	Date of birth	Is the person in Denmark also the parent of the child?	Is the child also applying for residence permit in Denmark?
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Information about your passport		PLEASE COMPLETE IN CAPITAL LETTERS	
<input type="checkbox"/> National passport		<input type="checkbox"/> Other travel documentation, which?	
Passport number		Date of issue	
Date of expiry		In which country is the passport issued?	
We recommend that you enclose a copy of your passport (all pages, including the cover). If children apply concurrently with you, we also recommend that you enclose the child/children's passports.			

3. Information about the person in Denmark you (the applicant) wish to be family reunified with		UDFYLDES MED BLOKBOGSTAVER	
Name (given name(s) and surname)		CPR number	
Phone number		Email address	
What is your relation to the person in Denmark? <input type="checkbox"/> Spouse <input type="checkbox"/> Partner <input type="checkbox"/> Minor child			
Have you enclosed documentation for your relation? <input type="checkbox"/> Yes <input type="checkbox"/> No			

If **no**, is this because you do not have any documentation for your relation?

Yes No

If it is not possible for you to document your relation to the person in Denmark, the Immigration Service can require you and the person in Denmark to take a DNA test in order to establish your family relation.

If you are married or the cohabiting partner to the person in Denmark you must state below

Address (street, number, postal code, city, country)	From date	To date

We recommend that you **enclose** documentation for your cohabitation.

4. Information about your marriage

PLEASE COMPLETE IN CAPITAL LETTERS

You **only** need to fill out section 4, if you apply for residence permit as a **spouse** of the person in Denmark.

Danish legislation requires that we determine whether:

- Your marriage is valid under Danish laws.
- The marriage is entered into at the will of both spouses.
- The marriage is pro forma, i.e. with the primary reason of obtaining a residence permit for your spouse.

Please note: According to Danish law marriages conducted by proxy (where one or both spouses were not present during the ceremony) are invalid. Marriages conducted by a religious cleric and without legal authority are also considered invalid. Such unions can therefore not be used as a basis for family reunification.

The questions below are intended to help us determine this. We ask these questions in all applications, and we only ask questions that are relevant for processing an application for residence permit as a family member of a person who has residence permit in Denmark after having assisted the Danish authorities in Afghanistan

When did you first meet your spouse?

How did you meet your spouse?

If you and your spouse met on the internet, when did you meet for the first time in person?

Did you decide for yourselves that you should marry?

Yes No

If **no**, who did?

When was the decision made?

If you have lived together before you got married, state where and in which periods:

If you have not lived together before you got married, explain how often and under what circumstances you maintain contact with your 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

If you have not lived together since you got married, explain how often and under what circumstances you maintain contact with your spouse:

When did you last see each other?

Which language(s) do you speak together?

5. Comments to the application, if applicable

PLEASE COMPLETE IN CAPITAL LETTERS

6. Declarations

A. Sworn declaration of correctness

I solemnly swear that the information I have given 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. section 10 of the law to grant a temporary residence permit to persons who have assisted Danish authorities, etc. in Afghanistan (hereinafter the Special Law)).
- 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 Special Law section 10).
- My residence permit can be revoked (the Special Law section 8).

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. Sworn declaration that I am not covered by a sanction list

I solemnly swear that I am not covered by a restrictive measure in the form of a restriction with regards to entry and traveling through Denmark (sanction list), decided by the United Nations or the European Union. The sanction lists more specific content can be found at the European External Action Services (EEAS) webpage, eeas.europa.eu (http://eeas.europa.eu/cfsp/sanctions/index_en.htm).

If I am found to be covered by a sanction list, decided by the United Nations or the European Union, I can be subject to the following consequences:

- My residence permit can be revoked (the Special Law 19).
- I can be expelled from Denmark (the Aliens Act section 25 a).

D. 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.

E. Notification that information can be passed on to Danish intelligence agencies and prosecuting authority

The information and documents that you submit with your application can be passed on to Danish intelligence agencies and the Danish public prosecuting authority (the Special Law section 13 and 14). 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.

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

Danish immigration authorities give certain information to authorities in the municipality (kommune) where you will live, should you be given a residence permit (the Special Law section 15 no. 1).

The municipality will also be informed if

- your residence permit is not renewed at a later point or has been revoked,
- your residence permit is found to be lapsed, or
- your residence permit is made permanent.

Finally, the municipality where you live will have access to information about you contained in the Danish immigration authorities' registers if the information is necessary for it to carry out its duties.

The municipality will have access to data contained in the Danish Immigration Service's registers required for processing your case, including:

- Information about existing and other earlier grounds for residence.
- Information about the status of your application, including the date it was submitted, type of application and whether a decision has been appealed, etc.
- Information about municipalities where you have previously resided.

G. 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 (the Special Law section 15 no. 2).

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).

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

The Immigration Service 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 the 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 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.
- Comparison of information contained in the Danish immigration authorities' registers with records held by the Civil Registration System (CPR), the Buildings and Housing Registry (BBR) or the income registry (eIndkomst).
- 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.

I. Information about the consequences for permanent residence, if you have worked against the establishment of your identity

You are obligated to provide correct information about your identity. If you have worked deliberately against the establishment of your identity in connection with your application for residence permit/extension of residence permit, it could mean, that you cannot be granted a permanent residence permit in the future. This applies if you e.g. present falsified identity documents, or if you give untrue information about your name, date of birth (age), country of birth or citizenship.

7. Signature

I confirm that I have read, understood and accepted the terms laid out in sections 6 A-C and have read and understood the information laid out in section 6 D-I.

Name

Date and place

Signature

Have you remembered everything?

If your application for residence permit in Denmark is correctly filled out and contains the required documents, the Immigration Service can process your case with the shortest possible processing time. If your application is not correctly filled out or is missing information, the processing time may be longer. It is therefore important that you make certain that the forms are filled out correctly and that you have included the necessary documents, if applicable, before submitting your application.

We recommend using the checklist below before submitting the application.

Checklist

Before submitting your application, you can enclose the following, if possible:

- Copy of your passport (all pages including cover)
- Documentation of your relation to the person in Denmark
- Documentation of cohabitation with the person in Denmark, if applicable

It is also important to

- answer all questions, and
- sign and date the application.

**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 law to grant a temporary residence permit to persons who have assisted Danish authorities, etc. in Afghanistan (hereinafter the Special Law) in particular: chapter 1 (relating to granting residence permit)
- 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)
- The Aliens Act is parallel applied in case regarding residence after the Special Law.

You are obligated to provide the information necessary for deciding whether you are eligible for a Danish residence permit (the Special Law section 10).

The information you supply or have supplied in connection with your application for a residence permit will be registered in the Danish immigration authorities' registers. The same holds true for any information you give in conjunction with an application to extend your residence. If you receive a residence permit, it will be registered in the Civil Registration System. The Civil Registration System is a computerised register maintained by the Ministry for Economic Affairs and the Interior.

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 (the Special Law section 13), the public prosecutor (the Special Law section 14), 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.

In addition, regarding the exchange of data, we may share your data with other Schengen countries and Schengen associated countries.

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 (the Special Law section 15). 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),
- 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,
- third-parties, such as: employers and educational institutions, and
- the person who might be sponsoring your application, as well as any previous cases the person may have had at the Immigration Service.

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.

If the immigration authorities decide that you do not have the right to stay in Denmark, the biometric data will be transferred to the Schengen Information System (SIS), which is a central EU system where the Schengen countries share and exchange information. This system has been set up for, among other things, cooperation and exchange of information between immigration authorities and other Schengen countries. The information is stored in the SIS until you are registered as having departed from Denmark or another Schengen country.

You can read more about Schengen countries and Schengen associated countries at www.newtodenmark.dk/schengen

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.