

Application form

IN6_en_010922

Application to approve employment in accordance with Section 14 (a) of the Danish Aliens Act (asylum seekers)

Uses

This form may be used by asylum seekers wishing to work in Denmark.

You may not begin working until you have entered into a contract with the Danish Immigration Service specifying the conditions of the approval. If you work before you have signed a contract with the Immigration Service, you may be fined or sentenced to up to 1 year in prison, and your employer may be fined or sentenced to up to 2 years in prison.

Instructions:

Both you and your employer must fill in parts of this form. You must fill in Part 1 and enclose documentation concerning a specific offer of employment. Follow the instructions in the form. Remember to fill in both pages of Appendix 1 (contract). Your employer must fill in Part 2 of the form.

You can submit your application digitally via our contact form www.nyidanmark.dk/kontakt-us or via physical mail to the address of the Immigration Service.

What documents should I include?

You must include documentation of a specific offer of employment that complies with standard salary and employment terms, typically in the form of an employment contract.

If you are approved

If you are approved by the Immigration Service to work, you will receive a permit with a photo as documentation.

You must pay gross tax (30%) of your salary income. You must also pay labour market contributions (8%).

Please be aware that you as an asylum seeker are **not granted a CPR number** if you are approved to work. You and your employer must therefore figure out among yourselves how the net salary is paid, e.g. in cash.

Your salary income after tax will be offset against the cash allowances you receive from the Immigration Service (basic allowance, caregiver allowance, supplementary allowance). For every DKK earned in salary, your allowances will be reduced by the same amount ("krone-til-krone"-principle). For the Immigration Service to calculate your deduction, you must submit a copy of your paychecks every month.

You should be aware that you may be required to pay rent if you live in an asylum centre or in an independent residence affiliated with an asylum centre and your salary after tax is higher than the cash allowances you receive from the Immigration Service.

You must also be aware that you can be required to pay for the accommodation for your spouse or cohabiting partner and your children from both current and previous

relationships under 18 years of age.

You must notify the Immigration Service if the terms of your employment change.

Processing of your data

The Immigration Service will process information about you in relation to your application. In the folder 'Information about the processing of personal data related to your accommodation' you can read more about our processing of data and your rights. The folder was handed out to you when you were accommodated at an asylum center. If you have lost the folder, you can get a new one at your asylum center or find it via www.newtodenmark.dk/gdprfolder

Terms and conditions

You must be living at an asylum centre or any other place of accommodation approved by the Immigration Service in order to be authorized to work.

If you stay outside an asylum centre without the approval of the Immigration Service, we will not be able to approve your application to work.

Your identity must have been established. You must have lived in Denmark for at least 6 months from the time you applied for asylum and the Immigration Service must have reached the decision that you may stay in Denmark while the asylum case is being processed (Phase 2).

If your application for asylum is still being processed, you must continuously co-operate with the Immigration Service to help process your application. If you have received a final rejection of your application for asylum or you have withdrawn your application and are awaiting deportation from Denmark, you must continuously assist with your deportation.

You will not receive approval for employment if

- you are or will be expelled in accordance with Section 25 of the Aliens Act (administrative expulsion) because you are deemed a clear and present danger to national security or a serious threat to public law and order, security or health,
- you are or will be expelled by a court,
- you are or will be sentenced to prison (served or suspended) or any other punishable offense that may entail or allow for a custodial sentence for an offense committed in Denmark that would have entailed sentencing of this proportion,
- you are or will be covered by the grounds for exclusion in the Refugee Convention, for instance, if you have committed crimes against peace or humanity, a war crime, a serious non-political crime outside your country of refuge prior to your entry as a refugee, or you are found guilty of actions in violation of UN goals or principles,

- you have had a residence permit that has lapsed in accordance with Section 21b (1) of the Aliens Act due to your leaving Danish territory and have
- engaged in activities abroad that may pose or increase a clear and present danger to national security, to the security of other states or a considerable threat to public law and order, or
- your application is being or has been processed according to the manifestly unfounded procedure.

If you are under 18, you may only be permitted to work if, after a specific assessment, the Immigration Service decides this is in your best interests.

You must have been offered employment that complies with standard salary and employment terms. In our assessment of you being offered employment in compliance with standard salary and employment terms, we will include the collective agreements covering the field under which you have been offered employment.

Contract with the Immigration Service

You must enter into a contract with the Immigration Service specifying the conditions under which you may work. The contract is attached as Appendix 1 to this application. The contract specifies the conditions that must be fulfilled before you can be approved to work. When the Immigration Service has received your part of the contract with your signature, we will contact you to explain the terms of the contract.

Education and other activities

The contract you are entering into with your asylum centre (VUA contract) or with the Return Agency (return contract) concerning education and other activities must consider your employment.

Approval period

The authorization is valid for a year and may thereafter be extended for periods of up to 1 year at a time. The authorization ends if you leave the country or obtain a residence permit.

Applying for extension

If you wish to apply for an extension of the approval for work, you can use application form IN16. If you apply for an extension before your original authorization expires, you can continue working while the Immigration Service is processing your application for an extension and until a decision is made.

Possibility of approval being revoked

The approval will, unless very special reasons speak against it, be revoked if the conditions for approval are no longer met or if the terms of the contract are not observed, e.g. if you no longer continuously cooperate with the informing of your asylum case or departure. In addition, if approval is obtained by fraud or you do not pay rent that may be charged at your place of accommodation for you or your accompanying family members, the approval will be revoked.

Approval will also be withdrawn if you are absent from your place of accommodation or stay outside a place of accommodation without the Immigration Service's approval, even though the Immigration Service has been informed of your place of residence.

Verification of information

The Immigration Service may seek to verify the authenticity of the information you submit in your application. This can occur while dealing with your application and later if you are granted approval. Verification may be conducted at random and is not necessarily an indication that you are suspected of providing false information, or of no longer meeting the requirements for approval.

For a faster reply

Your application will be processed faster if all the boxes in the application form are filled in. It is therefore important that you fill in the form carefully and provide the information we need to process the application.

For more information

More information about the rules governing asylum 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.

Application for approval to work (asylum seekers) PART 1 – to be completed by the applicant (employee)

IN6_en_010922

1. Information about the applicant		PLEASE COMPLETE IN CAPITAL LETTERS
Surname	Given and middle name(s)	
Nationality	Language	
Date of birth (dd-mm-yyyy)	Personal ID	
Telephone number		
Do you have an accompanying family? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, please provide the following information:		
Name(s)	Personal ID:	Relationship:
Please indicate below which centre you are living at. If you are not living in a centre, state where you live (address). Where do you live (centre/address)?		

2. Information about your co-operation

Your approval to work is conditional on you continuously co-operating to help process your application for asylum, and on your continuous assistance with your deportation process, if you have received a final rejection of your application for asylum or you have withdrawn your application.

Fill in **Section 2.A** if your application for asylum is being processed (Phase 2).

Fill in **Section 2.B** if you have withdrawn your application for asylum, or you have received a final rejection of your application for asylum (Phase 3).

You must co-operate both at the time when you are seeking approval to work and continue to do so while approved and employed.

If you stop co-operating, you will lose your approval to work. This means that you will no longer have the right to work.

2.A If your application for asylum is being processed (Phase 2)

PLEASE COMPLETE IN CAPITAL LETTERS

If your application for asylum is being processed, you can be approved to work, if you co-operate to help process your application for asylum, such as by attending meetings, when required.

Are you cooperating with immigration officials to process your application for asylum? Yes No

If **no**, please explain why:

2.B If you have withdrawn your application for asylum or you have received a final rejection of your application for asylum (Phase 3)

PLEASE COMPLETE IN CAPITAL LETTERS

If you have received a final rejection of your application for asylum and a date for leaving Denmark has been set, or you have withdrawn your application for asylum and are awaiting deportation, you can be approved to work, if you assist with your deportation process, such as by assisting with the issuance of travel documents.

Are you assisting with your deportation process? Yes No

If **no**, please explain why:

3. Information about the terms of employment

PLEASE COMPLETE IN CAPITAL LETTERS

The questions below concern your actual employment offer and previously approved employment, if applicable.

Please **enclose information about the terms of your current employment** in the form of a contract or offer of employment containing all information on salary and employment terms and a job description (not more than 30 days old). Be aware that we cannot approve an application for employment if a contract or an offer of employment is not enclosed. We recommend that a standard contract for the industry in question is used.

What will your work involve? (job title, main tasks, and functions)

Work hours: hours per week/month

On which weekdays will you work?

- | | |
|--|---|
| <input type="checkbox"/> Monday, from to | <input type="checkbox"/> Thursday, from to |
| <input type="checkbox"/> Tuesday, from to | <input type="checkbox"/> Friday, from to |
| <input type="checkbox"/> Wednesday, from to | <input type="checkbox"/> Saturday, from to |
| | <input type="checkbox"/> Sunday, from to |

Salary: DKK per hour/week/month

Have you previously received permission to work? Yes No

If **yes**, please state the workplace and period of employment:

4. Applicant's comments, if any

PLEASE COMPLETE IN CAPITAL LETTERS

5. Declarations and notifications

A. Sworn declaration of correctness

I solemnly swear that the information supplied by me in Part 1 of this application form is not intentionally incorrect and that information has not been fraudulently concealed.

If the information is intentionally incorrect or information has been fraudulently concealed, the following penalties may apply:

- I can be sentenced with a fine or imprisonment for up to 6 months (Aliens Act section 59)
- I can be sentenced to repay the expenses incurred by the Danish state as a consequence of the incorrect information (Aliens Act section 40)
- My approval to work may be revoked (Aliens Act section 14 a)

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

I consent to allowing the Danish immigration authorities to obtain and release information about my private affairs if it is necessary in order to process this application.

Such information includes:

- previous criminal proceedings against me
- information about who my family members are
- verification that the documents submitted with my application are authentic

C. Declaration of consent to allow authorities to pass information about my case

I give my permission to the immigration authorities to pass information about me, including personal information, to the employer, if it is necessary for processing my application.

I hereby further consent to The Danish Immigration Service transferring relevant information on my salary and employment terms, approval of my application as well as the termination of my employment engagement to the employer, my accommodation operator and The Danish Customs and Tax Administration.

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 passed on to the Danish intelligence services and the Danish prosecution authority (Sections 45 a and 45 c of the Aliens Act). This may occur on the initiative of the immigration authorities or on the initiative of the intelligence services or the Danish prosecution authority.

The prosecuting authority will use the information to evaluate whether there are grounds for prosecuting you for crimes committed in or outside Denmark, to identify victims or witnesses to a specific crime or to assist foreign police.

E. Notification that Danish authorities have registered information about you and your personal affairs

The information you submit when applying for an approval to work will be entered in the Immigration Service's registers.

You are entitled access to the information about you in the Immigration Service's registers. Enquiries about this can be addressed to the Danish Immigration Service, Farimagvej 51A, 4700 Næstved.

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

The authenticity of the information you have supplied in connection with your application may be verified by the Immigration Service. This may take place while dealing with your application or later when you have entered into a contract with the Immigration Service on approval to work. If you have entered into a contract with the Immigration Service about approval to work and the Immigration Service discovers that you no longer meet the requirements, the Immigration Service will decide that you no longer have the approval to work.

Verification may be conducted at random and is not necessarily an indication that you are suspected of providing false information, or of not meeting the requirements of your permit.

Verification may involve the following:

- Checking public registers, such as the Immigration Service's registers on residence and benefit payments.
- Comparison of information contained in the Immigration Service's registers, such as the Aliens Register with records held by the Central Office of Registration (CPR office), the Buildings and Housing Register (BBR) and the income registries.
- Contacting other authorities, such as municipalities.
- Contacting third parties, such as employers.
- Turning up in person at your residence or workplace.

You may be asked to supply additional information as part of the verification process.

6. Signature – applicant

By signing below, I confirm that I have understood and accepted the terms laid out in Sections 5.A-C and have understood the terms laid out in Sections 5.D-F and the guidance on page 1 and 2.

Date and place

Signature

Have you remembered everything?

The Danish Immigration Service can process your application faster if it is correctly filled in and contains the required documents.

It is therefore important that you fill in the form carefully and provide the information we need to process the application.

We recommend using the checklist below before submitting the application.

Checklist – applicant

Before submitting the application, please check that you have enclosed the following (tick if necessary):

Employment contract or offer of employment containing information about salary and terms of employment and a job description (no more than 30 days old). We recommend that a standard contract for the industry in question be used.

It is also important that you have:

- Answered all the questions in Part 1
- Signed and dated the application in Section 6
- Completed, signed and dated the contract (Appendix 1)

Application for approval to work (asylum seekers) PART 2 - to be completed by the employer

7. Information about the employer		PLEASE COMPLETE IN CAPITAL LETTERS
The employer's (company's) name	CVR No.	
Address (street/road and no.)	Postal code and city/town	
Telephone number	Mobile telephone number	
E-mail address		
Point of contact (if any)		
Is the employer a member of an employers' organization? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes , please state which:		
If no , are you party to a bargaining agreement? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes , the employer is requested to state how the employer is a party to it:		
Is the company pre-registered to employ asylum seekers? <input type="checkbox"/> Yes <input type="checkbox"/> No		

8. Information about the applicant's position		PLEASE COMPLETE IN CAPITAL LETTERS
The questions below concern the applicant's (employee's) position and weekly working hours. For the sake of processing the application, the employer is requested to disclose the employee's name and date of birth.		
Surname	Given and middle name(s)	
Date of birth (dd-mm-yyyy)		
What is the applicant's job title?		
What does the job involve (main responsibilities and functions)?		

PERIOD OF EMPLOYMENT

NB: The applicant may not begin working before the Immigration Service has granted approval to work.

Also be aware that you may be fined or imprisoned for up to two years if you employ an asylum seeker who has not been granted approval to work by the Immigration Service.

You must also remember that regardless of the validity period of the employment contract, the approval for work can only be given for up to 1 year at a time. Afterwards you can apply for extension.

Period of employment

Unlimited

Time limited, state period: from (date) to (date)

If **yes**, please state the extra payment rate: DKK per hour

If **no**, please state reason(s):

Will the applicant work on public holidays? Yes No

Will the applicant be eligible for an extra payment for work on public holidays? Yes No

If **yes**, please state the extra payment rate: DKK per hour

If **no**, please state reason(s):

Will the applicant have overtime? Yes No

If **yes**, will the applicant receive overtime pay? Yes No

If **yes**, please state the overtime pay-rate(s): DKK per hour

If **no**, please state reason(s):

Tax payment and payment of salary

Asylum seekers granted approval to work by the Immigration Service must pay 8 % in labour market contributions. The tax must be withheld with 30% of the remaining amount. It is your duty as an employer to pay gross tax as well as labour market contributions before the salary is paid to the employee. These rules are contained in the Withholding Tax Act section 48 B.

Asylum seekers are not granted a CPR number. You as the employer must therefore report labour market contributions and gross tax each month to the Danish Tax Agency using the form 01.014 "Månedlig angivelse af skat for godkendte asylansøgere". The form and relevant instructions are available at skat.dk (in Danish only) under "Virksomhed" - "Blanketter". The Tax Agency can be contacted at asylskat@sktst.dk or telephone number 72 22 18 18.

You and the employee must figure out among yourselves how the net salary is paid, e.g. in cash. Be aware that it can be challenging for an asylum seeker to create a bank account for withdrawal of salary because they don't get a CPR-number. Therefore it may be necessary of you to pay the salary in another way than by bank transfer, e.g. by cash.

Information on changes of employment engagement

The employer must inform The Danish Immigration Service about any change in the employment engagement including termination of contract or salary changes.

9. Employer's comments (if applicable)

PLEASE COMPLETE IN CAPITAL LETTERS

10. Declarations (employer)

A. Sworn declaration of correctness

I solemnly swear that the information supplied by me in Part 2 (Sections 7-9) of this application form is not intentionally incorrect and that I have not fraudulently concealed information.

If the information is found to be intentionally incorrect or if it is found that information has been fraudulently concealed, the following penalties may apply:

- I can be sentenced to a fine or imprisonment for up to 6 months

- I can be sentenced to repay the expenses incurred by the Danish state as a consequence of the false information.

B. Sworn declaration concerning compliance with working environment legislation governing employment of individuals under the age of 18

I solemnly declare that as an employer I comply with working environment legislation.

C. Declaration of consent – release for the Immigration Service to process information on organizational affiliations

I give my permission to the Immigration Service to register and treat information on my affiliations to an employers' organization or labour union for the purpose of processing my application.

D. Notification that Danish authorities have registered information about you and your affairs

The company is entitled access to the information about it in the Immigration Service's registers. Enquiries about this can be addressed to the Danish Immigration Service, Farimagvej 51A, 4700 Næstved.

If your company is a one man company our processing of your data is covered by the General Data Protection Regulation. This means that you have some rights – including the right of access. You can read more about our processing of data and your rights at www.newtodenmark.dk/personaldata

11. Signature – employer

By signing below, I confirm that I have read, understood and accepted the terms laid out in Section 10.A-C and that I have read and understood the guidance in Section 10.D and on Page 1 and 2.

I also confirm by signing below, that the wage and main terms of employment correspond to Danish standards.

Date and place

Signature

Have you remembered everything?

The Danish Immigration Service can process your application faster if it is correctly filled in and contains the required documents.

It is therefore important that you, as employer – before the application is submitted – check that Part 2 of the application is completed.

We recommend using the checklist below.

Checklist – employer

Before submitting the application, please make sure you have (tick as necessary):

- answered all questions in Part 2 (Sections 7-9)
- signed and dated the application in Section 11.

It is also important that you:

- Include documentation for terms relating to salary and employment.

Appendix 1: Contract about conditions for approval to work (following Aliens Act Section 14 a) - to be filled in and signed by the applicant

Applicant's name

Personal ID

Position (Job title)

Employer and CVR-number

The Danish Immigration Service hereby approves the applicant named above to work in the position named above with the employer named above provided that the wage and main terms of employment correspond to Danish standards.

The contract includes the following conditions:

1) The applicant must continuously co-operate with immigration authorities seeking to process his/her application for asylum. In case the applicant has received a final rejection of his/her application for asylum or has withdrawn the application, he/she must continuously assist with his/her deportation.

The applicant has been notified that co-operation means e.g. that:

- the applicant is required to attend meetings with the authorities
- work is not a valid reason for not attending meetings with immigration officials

The applicant has also been notified that if his/her application for asylum is still being processed, cooperation involves

- making a statement
- handing over the documents that he/she brought to Denmark, or that he/she can reasonably be expected to obtain without revealing his/her whereabouts to officials in his/her home country
- taking a language test, age determination examination, torture examination, as well as other evaluations
- consent to allowing immigration authorities to obtain the applicant's previous applications for asylum in other European countries

The applicant has been informed that he or she must cooperate on their deportation if their application for asylum is rejected or they have disregarded their application for asylum and that it is the Danish Return Agency that has the competence to assess whether the person in question is cooperative.

2) The applicant must not:

- have been or be expelled following Section 25 of the Aliens Act (administrative expulsion) because he/she is deemed a clear and present danger to national security or a serious threat to public law and order, security or health,
- have been or be expelled by a court,
- have been or be sentenced to imprisonment or any other punishable offense that may entail or allow for a custodial sentence for an offense committed in Denmark that would have entailed sentencing of this proportion,
- have been or be covered by the grounds for exclusion in section 10 of the Alien's Act and is on a tolerated stay,
- have had a residence permit that has lapsed in accordance with section 21b (1) of the Aliens Act due to him/her leaving Danish territory and has engaged in activities abroad which may pose or increase a clear and present danger to national security, to the security of other states or a considerable threat to public law and order, or
- have his/her application being processed according to section 53b of the Aliens Act (the manifestly unfounded procedure).

3) The applicant cannot begin working before entering into a contract with the Immigration Service specifying the conditions of the approval. Violation of this rule can lead to a fine or prison sentence for both the applicant and his/her employer.

4) The approval can be extended if the asylum seeker applies before the original contract expires. In this case, the asylum seeker can continue working while the Immigration Service is processing the application for an extension and until a decision is made.

5) The applicant must pay gross tax (30%) and labour market contributions (8%) deducted from his/her salary.

6) The Immigration Service will offset the asylum seeker's salary after tax against the cash allowances he/she is entitled to under Section 42 b of the Aliens Act.

The applicant has been informed he/she may be required to pay rent, including rent for his/her family such as

spouse/cohabiting partner and the couple's children from both current and previous relationships under the age of 18, if applicable. This will be the case if his/her salary after tax is higher than the cash allowances granted following Section 42 b of the Danish Aliens Act, and he/she is living at an asylum centre or in an independent residence affiliated with an asylum centre.

The applicant has been informed to submit pay slips to the Immigration Service each month.

7) The applicant is obliged to notify the Immigration Service if the terms of his/her employment change.

8) The approval will be revoked if the conditions of the approval are no longer met, e.g. if the asylum seeker no longer continuously cooperates with the informing of their asylum case or their departure, or if the requirements are no longer met, e.g. if the approval is obtained by fraud or the person does not pay rent or if the person is absent from their place of accommodation or stay outside a place of accommodation without the Immigration Service's approval.

Duration of the contract (To be filled out by The Danish Immigration Service)

From: (Date) _____ To: (Date) _____

Regardless of the abovementioned stipulations, the contract ends if the applicant travels abroad, is deported, or receives a residence permit.

Date	Signature (applicant)	
Date	Signature (Immigration Service representative)	
	Initials	Stamp (Immigration Service)

Appendix 2: For official use only

Before entering into the contract with the applicant the Immigration Service has provided the applicant with thorough guidance about the following:

- that in principle, the approval is valid during the period from _____ to _____. However, the authorization will expire if the applicant leaves the country or obtains a residence permit.
- that the applicant should expect approval to be revoked if the applicant
 - does not continuously cooperate with the Immigration Service to process his/her application
 - does not assist with his/her deportation, if a final rejection of his/her application for asylum has been received or if the application for asylum has been withdrawn, or
 - he/she no longer meets the other requirements specified in his/her contract.
 - if the approval is obtained by fraud
 - if the person is absent from their place of accommodation or stays outside a place of accommodation without the Immigration Service's approval
 - if the applicant does not pay rent that may have been imposed
- that the approval to work will be revoked if the applicant has been expelled by a court, has been expelled following Section 25 of the Aliens Act (administrative expulsion), is covered by the grounds for exclusion in section 10 of the Alien's Act, and is on a tolerated stay, is subject to the rules on the lapsing of residence permits under section § 21 b, subsection 1, or has been sentenced to prison (served or suspended) or any other punishable offense that may entail or allow for a custodial sentence for an offense committed in Denmark that would have entailed sentencing of this proportion, or has his/her application being processed according to section 53b of the Aliens Act (the manifestly unfounded procedure).
- that the applicant may not begin working before entering into a contract with the Immigration Service specifying the conditions for the approval to work, and that violating this rule can lead to a fine or prison sentence for both the applicant and the employer
- that the authorization of work may be renewed upon application and up to 1 year at a time
- that the applicant is only obliged to take part in education and other activities following the rules of the Aliens Act if his/her employment is not a hindrance to this
- that work is not a valid reason for failing to attend meetings with the immigration authorities,
- that the applicant must notify the Immigration Service if the terms of his/her employment change,
- that the employee must be able to stop working on short notice, should he/she, for example, be deported,
- that the applicant must pay gross tax (30%) and labour market contributions (8%) on salary earned,
- that the applicant's income after tax will be offset against the cash allowances to which he/she may be entitled in accordance with Section 42 b of the Aliens Act and the applicant must submit copies of paychecks every month to enable the Immigration Service to make these calculations, and
- that the applicant may be required to pay rent, including rent for a spouse/cohabiting partner and their own or their partner's children under the age of 18, if applicable, if the salary after tax is higher than the cash allowances in accordance with Section 42 b of the Aliens Act, and the applicant is living at an asylum centre or in an independent residence affiliated with an asylum centre.
- the applicant has been informed of the possibility of submitting an application for a residence permit in accordance with Section 9 (a) of the Aliens Act.
- An interpreter in _____ was used during the guidance session. The Immigration Service assured that the applicant and interpreter understood each other.

Date	Signature	Initials	Stamp (Immigration Service)