



Processing of information in connection with your application

You have submitted an application for a visa to Denmark. Therefore, you have been given this letter.

In this letter you can read about the processing of your personal data in relation to your visa case.

The authority processing your application is responsible for the processing of your data and therefore the data controller.

The data controller must inform you with a range of information when processing information about you. When applying for a visa to Denmark, there are two different authorities that can handle the case.

Your personal data are processed by the Danish diplomatic mission (embassy or general consulate) where you have submitted your application, or by the diplomatic mission to which the visa agency has transferred your application. In these situations, the Ministry of Foreign Affairs is the data controller and thus responsible for the processing of data.

If the diplomatic mission considers that your visa application should be processed by the Danish Immigration Service, the diplomatic mission will forward the case to the Danish Immigration Service, and the Danish Immigration Service will then be the data controller for the processing of your data. If the diplomatic mission has rejected your application and the refusal is appealed to the Danish Immigration Service, the Danish Immigration Service will handle the appeal case. In these situations, the Immigration Service is the data controller and thus responsible for the collection and processing of data.

Yours sincerely

Ministry of Foreign Affairs and the Danish Immigration Service

Information to you as a visa applicant

With this letter, the Ministry of Foreign Affairs and the Danish Immigration Service inform you about how we process your personal data and provide you with guidance on your rights in relation to this.

The information we are required to give you is the following:

1. Name and contact details of the centrale data controller
2. Name and contact details of the data controller
3. Contact details of our Data Protection Officer
4. The purpose and legal basis of our processing of your personal data
5. Description of your obligation to provide us with your information
6. What type of personal data we process
7. Who we receive the personal data from and who we disclose the personal data to
8. Where your personal data originates from
9. How long we keep your personal data
10. Information on consent
11. Your rights in relation to our processing of your personal data
12. Complaints to the Danish Data Protection Agency

Below you can read more about the above information.

If you have any questions, you are welcome to contact us. You will find our contact information below under point 2.

1. Name and contact details of the centrale data controller

The Ministry of Immigration and Integration has been appointed as the centrale data controller for Denmark's data processing.

Contact information for the Ministry of Immigration and Integration:

Udlændinge- og Integrationsministeriet
Slotsholmsgade 10
1216 København K
uim@uim.dk

2. Name and contact details of the data controller

The Ministry of Foreign Affairs is the data controller for the processing of the personal data you have provided in connection with the visa application and the information received about you in connection with the processing of the application.

Contact information for the Ministry of Foreign Affairs:

Ministry of Foreign Affairs
Asian Square 2
1448 Copenhagen K
CVR No: 43271911
+45 33 92 10 00
um@um.dk

Where the Danish Immigration Service processes your visa application, the Danish Immigration Service is the data controller for the processing of the personal data received and processed in connection with the processing of the application.

Contact information for the Danish Immigration Service:

Danish Immigration Service
Farimagsvej 51A
4700 Næstved
CVR No: 77940413
Telephone: 35 36 66 00
us@us.dk
www.nyidanmark.dk

3. Name and contact details of our Data Protection Officer

Both the Ministry of Foreign Affairs and the Danish Immigration Service have their own data protection officer (DPO).

If you have any questions about the Ministry of Foreign Affairs' processing of your personal data, you can contact the Ministry of Foreign Affairs' data protection officer, whose contact details are:

Ministry of Foreign Affairs
Asian Square 2,
1448 Copenhagen K
Att.: Data Protection Officer

E-mail: dpo@um.dk

If you have any questions about the Danish Immigration Service's processing of your personal data, you can contact the Danish Immigration Service's data protection officer, whose contact details are:

Danish Immigration Service
Farimagsvej 51A
4700 Næstved
Att.: Data Protection Officer

You can also contact the DPO digitally via the DPO contact form <https://www.nyidanmark.dk/en/Kontakt-os/Kontakt-Udlændingestyrelsen/Kontakt-DPO>.

4. The purpose and legal basis of our processing of your personal data

Your data is processed for the purpose of assessing your application for a visa and any stay in Denmark as well as checking the conditions for doing so.

The legal basis for the processing of your personal data is the Aliens Act, the Data Protection Act and the General Data Protection Regulation (GDPR). It concerns the following specific provisions:

Chapter 1 of the Aliens Act on the entry and residence of aliens in Denmark.

General Data Protection Regulation:

- Article 6 (General personal data)
 - Section 1(c) (legal obligation);
 - Section 1(e) (exercise of official authority);
- Article 9 (sensitive personal data)
 - Section 2(e) (information made public by the data subject);
 - Section 2(f) (exercise or defend legal claims);
 - Section 2(g) (exercise of official authority)

The Data Protection Act:

- Section 8(2), points 1 and 3 (information regarding criminal offences, if any)

Some of the data may subsequently be further processed for statistical purposes in accordance with the original purpose or in accordance with law.

5. About your obligation to provide us with your information

You are obliged to provide us with the information necessary for the authorities to make a decision in your case. You can read more about your obligation to contribute to the information in section 40 of the Aliens Act.

Failure to provide the information can result in a fine or imprisonment.

6. The personal data about you that we process

We may, if necessary, process the following categories of personal data about you:

- ordinary personal data (e.g. identity data, data on citizenship and nationality, travel itinerary, data on your family, data on asylum matters);
- information on any criminal offences;
- sensitive personal data (e.g. data concerning health, political or religious affiliation);

7. Who we receive personal data from and disclose and transfer the personal data to

The information you provide or have provided in connection with an application for a visa will be registered in the Danish visa register (UM-VIS and IVR-VIS). The information contained in the application form will also be recorded in the Schengen Member States' Common Visa Database (C-VIS).

In some cases, the Ministry of Foreign Affairs, including the diplomatic missions abroad, will transfer your information to a data processor who processes the information on behalf of the Ministry of Foreign Affairs and the diplomatic missions.

As part of the case handling, the Ministry of Foreign Affairs and its diplomatic missions may disclose information to other authorities and private actors, including foreign authorities and organisations, in particular in connection with authentication and verification of documents and information. Transfers will be made in accordance with Article 21 of the Visa Code (Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)).

When the Immigration Service has to process your case, it will receive information from other public authorities, including the Ministry of Foreign Affairs, which has forwarded your case to the Immigration Service.

In some situations, the Immigration Service may disclose your information to others, and the Immigration Service regularly discloses information to:

- Ministry of Foreign Affairs, in particular its diplomatic missions abroad (embassies and consulates);
- the Danish Security and Intelligence Service and the Danish Defense Intelligence Service (Section 45a of the Aliens Act) in Denmark;
- Public Prosecutor (Section 45c of the Aliens Act);
- the Immigration Appeals Board,
- the Refugee Appeals Board;
- Ministry of Immigration and Integration,
- the Danish Agency for International Recruitment and Integration,
- Repatriation Agency
- Other countries, especially those for which you have applied for a visa,
- the Danish Parliament, and
- the police in Denmark.

Disclosure occurs when it is necessary for the Danish Immigration Service's task, including when it follows from the legislation that the Danish Immigration Service must disclose the information.

In certain situations, the Immigration Service may also entrust information to a data processor who processes the information on its behalf.

In addition, other authorities and private organisations may have access to this information (Section 44a of the Aliens Act).

If the Danish Immigration Service transfers data to third countries or international organisations, the transfer will take place in accordance with, inter alia, Article 31 of the VIS Regulation.

Transfers to Member States may also take place in accordance with Council Decision (EU) 2017/1908 (Council Decision (EU) 2017/1908 of 12 October 2017 on the putting into effect of certain provisions of the Schengen acquis relating to the Visa Information System in the Republic of Bulgaria and Romania (OJ L 269, 19.10.2017)).

8. Where does your personal data come from

The Ministry of Foreign Affairs processes the personal data you provide in connection with the application. If the Ministry of Foreign Affairs forwards the case to the Danish Immigration Service, or if the Danish Immigration Service deals with an appeal against the decision of the Ministry of Foreign Affairs, the Danish Immigration Service will process the information you provided in connection with the application.

The Ministry of Foreign Affairs and the Danish Immigration Service also process any information that you provide to the case after submitting the application.

In addition, the Ministry of Foreign Affairs and the Danish Immigration Service will process information that originates from:

- your previous visa applications
- your previous cases with the Danish Immigration Service
- entries in registers, e.g. the Central Person Register (CPR), the Income Register (eIndkomst), the Central Crime Register (KR), the Schengen Information System II (SIS II);
- other authorities, e.g. the State Administration, the Immigration Appeals Board, the Refugee Appeals Board,
- third parties, e.g. asylum centre operators, employers or educational institutions
- information from your close family's previous and current cases with the Danish Immigration Service
- information from publicly available sources such as websites and social media;
- information that any host has provided to the case and its previous cases with the Danish Immigration Service.

9. How long we keep your personal data

The data will be entered and stored in the Common Visa Information System, C-VIS, for a maximum period of 5 years, in accordance with Article 23 of the VIS Regulation.

The data will be entered and stored in our national systems UM-VIS and IVR-VIS as a starting point for 5 years. However, certain cases can be stored for up to 8 years if there is a specific need.

The information will be available to the visa issuing authorities and the authorities carrying out checks on visas at the external borders and in the Member States, as well as to the immigration and asylum authorities of the Member States. The data are stored in order to allow the authorities to verify whether the conditions

for legal entry, stay and residence on the territory of the Member States are fulfilled. The data may also be used to identify persons who do not or no longer fulfil these conditions, to examine an asylum application and to decide who is responsible for such examination.

Under certain circumstances, the data will also be made available to designated authorities of the Schengen Member States and to Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences.

Deletion of a visa case before time

If you acquire the nationality of a Member State, your visa file will be deleted from the VIS.

If you have been refused a visa and appeal against the refusal and your appeal is upheld, i.e. you are granted a visa, information about the refusal will be deleted from the central C-VIS and it will instead appear that you have been granted a visa.

Especially Biometrics

If you have fingerprints and facial images taken for identification and identity checks in connection with your application for a visa, the fingerprints and facial images will be recorded in the registers of the immigration authorities and stored for 10 years, cf. section 40g(3) of the Aliens Act. After that, the data is deleted. If you become a Danish citizen, your fingerprints and facial image will be deleted immediately afterwards.

10. Information about your consent

The Ministry of Foreign Affairs and the Danish Immigration Service do not use consent under the General Data Protection Regulation for the processing of your personal data, as the legal basis for processing is Article 6(1)(e) and Article 9(2)(f) of the General Data Protection Regulation, see point 4 above.

You may be asked for consent. This is not consent under the General Data Protection Regulation, but consent under the Public Administration Act or the Aliens Act.

11. Your rights in relation to our processing of your personal data

You have some rights in relation to our processing of information about you.

You have the following rights under the General Data Protection Regulation and the VIS Regulation:

- You have the right to access the information that the Ministry of Foreign Affairs and the Danish Immigration Service process about you.
- You have the right to have incorrect information about you corrected.
- In special cases, you may have the right to have information about you restricted or deleted if the information is no longer necessary for the processing of your case.
- You can object to our processing of your personal data.

You can read more about your rights in the Danish Data Protection Agency's guidelines on the rights of data subjects, which can be found at www.datatilsynet.dk. If you wish to exercise your rights, you must contact either the Ministry of Foreign Affairs or the Danish Immigration Service.

12. Complaints to the Danish Data Protection Agency

You have the right to lodge a complaint to the Danish Data Protection Agency if you are dissatisfied with the way we process your personal data. You can find the contact details of the Danish Data Protection Agency at www.datatilsynet.dk.