



## **News from the Danish Parliamentary Ombudsman**

### **Digital application form did not ensure that foreign nationals without a passport could apply**

When foreign nationals apply for a residence permit in Denmark according to the Labour Market Attachment Scheme, they have to use a digital application form on the website of the Danish Agency for International Recruitment and Integration (SIRI). The applicant needs to enter his or her passport number and its expiry date into the form, among other things. If the boxes are not filled in, the form cannot be submitted.

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However, it is not a requirement in the Labour Market Attachment Scheme to have a valid passport in order to get a residence permit. Therefore, the Ombudsman has asked SIRI to ensure that also foreign nationals without a valid passport can apply.

SIRI has previously informed applicants over the phone that they can just enter random characters or information from an expired passport if they are not in possession of a valid passport. After the Ombudsman started his investigation of the matter, SIRI has also stated the same on its website. In addition, SIRI will insert a link in the application form to the guidelines on the website in the middle of 2023.

However, this solution is not good enough, according to the Parliamentary Ombudsman. The information given in the application form is subject to criminal liability, and filling in the digital application form is normally the only way to submit an application. Therefore, this information should, in the Ombudsman's opinion, appear directly from the form in question, so that both applicants and authorities can clearly see that it is not a criminal offence and it will not have consequences pursuant to immigration law to fill in the passport-related boxes with random characters.

'If the Agency wants to use a digital application solution entailing that foreign nationals without a valid passport can only apply if they submit incorrect

information, it must appear clearly that this procedure is legal – not least considering that the applicants are asked to solemnly declare that the submitted information is correct, and the consequences of submitting incorrect information can be quite serious for the people in question', says Parliamentary Ombudsman Niels Fenger.

The Ombudsman asks for the Agency's response as to what his statement gives the Agency occasion to do. He asks the Agency to respond within two months.

Read [the Ombudsman's statement](#) (in Danish only).

Further details:

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