

*Consolidation Act No. 839 of 5 September 2005  
of the Danish Ministry of Refugee, Immigration and Integration Affairs*

## Consolidation of the Act on Integration of Aliens in Denmark (the Integration Act)

The following is a consolidation of the Act on Integration of Aliens in Denmark (the Integration Act), cf. Consolidation Act No. 1035 of 21 November 2003 with the amendments following from section 4 of Act No. 1165 of 19 December 2003, Act No. 1206 of 27 December 2003, section 3 of Act No. 423 of 9 June 2004, section 2 of Act No. 427 of 9 June 2004, section 2 of Act No. 1380 of 20 February 2004, section 6 of Act No. 304 of 2 May 2005, section 12 of Act No. 327 of 18 May 2005 and section 2 of Act No. 402 of 1 June 2005. This Consolidation Act does not incorporate the amendments following from section 12 of Act No. 523 of 24 June 2005 as that Act has not yet entered into force.<sup>1)</sup>

### Part I

#### *Objects, etc.*

**1. - (1)** An object of the Act is to ensure that newly arrived aliens are given the possibility of using their abilities and resources to become involved and contributing citizens on an equal footing with other citizens of society.

(2) This must be effected, through an effort of integration, by:-

- (i) assisting in ensuring that newly arrived aliens can participate in the life of society in terms of politics, economy, employment, social activities, religion and culture on an equal footing with other citizens;
- (ii) assisting in making newly arrived aliens self-supporting as quickly as possible through employment; and
- (iii) imparting to the individual alien an understanding of the fundamental values and norms of Danish society.

(3) Another object of the Act is to promote the possibilities of citizens, enterprises, authorities, institutions, organisations, associations, etc., of society of contributing to the effort of integration.

**2. - (1)** The Act applies to aliens lawfully residing in Denmark. In this Act, aliens mean refugees and immigrants, cf. subsection (2) hereof, lawfully residing in Denmark.

(2) In this Act, refugees mean refugees, etc., cf. section 54. In this Act, immigrants mean aliens reunited with a refugee family member, cf. section 55, and other aliens reunited with a family member, cf. section 56.

(3) This Act does not apply to aliens who are nationals of another Nordic country or are nationals of a Member State of the European Community or fall within the agreement on the European Economic Area or fall within the rules of the European Community on visa exemption and on abolition of entry and residence restrictions in connection with the free movement of workers, freedom of establishment and freedom to provide and receive services, etc.

(4) The Danish Immigration Service shall decide whether an alien falls within this Act.

**3. - (1)** The effort of integration includes housing of refugees, cf. Part 3, introduction programmes for aliens, cf. Part 4, and a general effort of integration, cf. subsection (2) hereof.

(2) In this Act, a general effort of integration means any initiative which does not fall within

Parts 3 and 4 of this Act, and which is carried out by public authorities for the purpose of integrating refugees and immigrants into the Danish society.

## Part 2

### *Tasks of the local council*

4. - (1) The local council is responsible for housing of refugees allocated to the municipality in question, cf. Part 3, introduction programmes for aliens, cf. Part 4, payment of introduction allowance, cf. Part 5, and co-ordination of the general effort of integration in the municipality, cf. section 3(2).

(2) Responsibility under subsection (1) hereof for refugees rests with the local council from the end of the first whole month following the date when a residence permit was granted to the refugee in question, but cf. subsection (3) hereof. The local council may take over responsibility for a refugee under subsection (1) hereof before the end of the first whole month after his residence permit was granted, if the refugee in question consents thereto.

(3) Responsibility under subsection (1) hereof for immigrants and for refugees issued with a residence permit under section 8 of the Aliens Act rests with the local council from the date when the person in question is registered in the Central National Register (CPR) as having moved to the municipality or, if the application for a residence permit was submitted in Denmark, from the date when the residence permit is granted.

(4) Responsibility under subsection (1) hereof rests with the local council of the municipality to which the refugee is allocated under the rules of Part 3, or where the immigrant lives or resides. If the alien takes up his abode or residence in another municipality, responsibility for the introduction programme and payment of introduction allowance under the detailed rules of Parts 4 and 5 passes to the local council of that municipality, but cf. subsection (5) hereof.

(5) If an alien is remanded in custody or committed to a state or local prison to serve a sentence in an institution of the Prison and Probation Service located in another municipality than the municipality whose local council under subsection (1) hereof is or becomes responsible for the alien in question under subsection (2) or (3) hereof, the local council of the municipality

which is or becomes responsible for the alien in question under subsection (2) or (3) hereof is responsible under subsection (1) hereof, unless otherwise agreed by the two local councils and consented to by the alien.

4a. - The local council may consider applications for assistance to individuals under this Act.

5. - (1) A local council may leave the performance of certain tasks as part of the implementation of introduction programmes to one or more organisations or associations, etc., including the Danish Refugee Council, educational institutions, private enterprises and other local councils.

(2) By agreement, the local council may authorise another local council to undertake, in full or in part, tasks related to introduction programmes for aliens, cf. Part 4, payment of introduction allowance and assistance in special cases, cf. Parts 5 and 6, and co-ordination of the general effort of integration, cf. section 3(2), handled by the local council.

## Part 3

### *Housing of refugees*

6. - Each year not later than 1 April, the Danish Immigration Service issues a notice stating the number of refugees to whom the Danish Immigration Service expects to grant residence permits for the next year (the national figure). The national figure can be changed by the Danish Immigration Service if circumstances so require. The national figure must be amended by the Danish Immigration Service if the number of refugees to be housed in the year in question is deemed to differ by more than 50 per cent in relation to the national figure fixed by the Danish Immigration Service at any time.

7. - (1) The local council associations of each county and the Municipalities of Bornholm, Copenhagen and Frederiksberg shall try to agree on the next year's housing of the number of refugees laid down in the national figure, cf. section 6, in the individual counties and in the Municipalities of Bornholm, Copenhagen and Frederiksberg (agreed county quotas). The agreement must be notified to the Danish Immigration Service before 1 May.

(2) If the national figure is changed for the current calendar year, cf. section 6, second sen-

tence, the local council associations of each county and the Municipalities of Bornholm, Copenhagen and Frederiksberg shall try to conclude another agreement. The agreement must be notified to the Danish Immigration Service within a period fixed by the Danish Immigration Service of normally not less than six weeks from the date when the national figure was changed.

(3) If the local council associations of each county and the Municipalities of Bornholm, Copenhagen and Frederiksberg have not notified the Danish Immigration Service of conclusion of an agreement under subsection (1) hereof before 1 May, the Danish Immigration Service, before 15 May of that year, fixes the number of refugees expected to be housed next year in the individual counties and in the Municipalities of Bornholm, Copenhagen and Frederiksberg (fixed county quotas).

(4) If the national figure is changed for the current calendar year, and if the local council associations of each county and the Municipalities of Bornholm, Copenhagen and Frederiksberg have not given notice of an agreement under subsection (2) hereof, the Danish Immigration Service, within 30 days after expiry of the period stipulated in subsection (2) hereof, fixes the number of refugees expected to be housed that year in the individual counties and in the Municipalities of Bornholm, Copenhagen and Frederiksberg.

(5) The fixed county quotas under subsections (3) and (4) hereof can be changed by the Danish Immigration Service if a change in circumstances so requires.

**8. - (1)** The local councils of a county shall try to agree in which municipalities the number of refugees agreed or fixed in the county quotas, cf. section 7(1) and (3), are to be housed next year (agreed municipal quotas). The agreement must be notified to the Danish Immigration Service before 10 September.

(2) If the agreed or fixed county quotas for the current calendar year are changed, cf. section 7(2), (4) and (5), the local councils of each county shall try to conclude another agreement. The agreement must be notified to the Danish Immigration Service within a period fixed by the Danish Immigration Service of normally not less than six weeks from the date when the county quota was changed.

(3) If the local councils of a county have not notified the Danish Immigration Service of con-

clusion of an agreement under subsection (1) hereof before 10 September, the Danish Immigration Service, before 30 September for each municipality of the county, fixes the number of refugees expected to be housed next year in the individual municipalities (fixed municipal quotas).

(4) If the agreed or fixed county quotas for the current calendar year are changed, and if the local councils of a county have not given notice of an agreement under subsection (2) hereof, the Danish Immigration Service, within 30 days after expiry of the period stipulated in subsection (2) hereof, fixes the number of refugees expected to be housed that year in the individual municipalities.

(5) The fixed municipal quotas under subsections (3) and (4) hereof can be changed by the Danish Immigration Service if a change in circumstances so requires.

**9. -** The Minister for Refugee, Immigration and Integration Affairs lays down detailed rules on national figures, cf. section 6, on conclusion of agreements on county and municipal quotas, cf. section 7(1) and (2) and section 8(1) and (2), on fixing of county and municipal quotas, cf. section 7(3) and (4) and section 8(3) and (4) and on change of fixed county quotas, cf. section 7(5) and section 8(5).

**10. - (1)** In connection with the grant of a residence permit to a refugee, the Danish Immigration Service decides in which municipality the refugee in question is to take up his abode (allocation), but cf. subsection (2) hereof.

(2) As regards minor, unaccompanied asylum-seekers, the Danish Immigration Service may decide upon allocation after the date when a residence permit is granted to the refugees in question if necessary in order to involve them in the decision on allocation. In such cases the decision on allocation must be made within two weeks after the residence permit was granted.

(3) A refugee allocated to a municipality pursuant to subsection (1) or (2) hereof must be registered in the Central National Register (CPR) by the responsible local council as having moved to Denmark to the municipality in question. This applies irrespective of whether the refugee takes up residence temporarily in another municipality in connection with activation.

(4) Registration pursuant to subsection (3) hereof is effected not later than the date when responsibility for the refugee passes to the local council, cf. section 4.

(5) If the responsible local council fails to register a refugee under subsection (3) hereof, the Danish Immigration Service will register the refugee in the Central National Register (CPR) as having moved to Denmark to the municipality in question.

(6) Registration pursuant to subsection (3) or (5) hereof is effected whether or not the refugee takes up his abode or residence in the municipality as from the date mentioned in subsection (4) hereof.

(7) The Minister for Refugee, Immigration and Integration Affairs may lay down detailed rules on the decisions of the Danish Immigration Service under subsection (1) or (2) hereof and on registration in the Central National Register, cf. subsections (3) to (6) hereof.

**11. -** The Danish Immigration Service decides on allocation on the basis of the agreed or fixed municipal quotas, cf. section 8, the personal situation of the refugee in question and the situation in the municipality.

**12. - (1)** The local council shall assign dwellings to the refugees allocated to the municipality by the Danish Immigration Service under section 10, but cf. subsection (2) hereof, as soon as possible after the date when the responsibility for a refugee passes to the local council. If the rent exceeds half the household income, the local council cannot refuse to grant full benefits pursuant to section 15 of the Act on Individual Housing Benefits.

(2) When the local council has taken over responsibility for a refugee, cf. section 4(2), such refugee may, in very special situations, remain temporarily accommodated at a place intended for accommodation, cf. section 42a of the Aliens Act, subject to permission from the Danish Immigration Service.

(3) If not already effected, the local council shall assign a dwelling pursuant to subsection (1) hereof to a refugee as quickly as possible after such refugee has terminated a folk high school course under section 23(2)(iii).

(4) The local council defrays the expenses incidental to the refugee's removal to the municipality. If the refugee takes up residence at a folk

high school in connection with activation under section 23(2)(iii) immediately when the local council takes over responsibility, the local council shall defray the refugee's expenses relating to removal from the place where the refugee in question has been accommodated during the asylum proceedings to the folk high school.

(5) Until it is possible to assign a permanent dwelling, the local council shall assign a temporary residence to the refugee in question. The rules of the Rent Act do not apply in connection with accommodation in temporary residences.

(6) The Minister for Refugee, Immigration and Integration Affairs shall lay down detailed rules on payment for accommodation at temporary residences and collection of such payment, including for accommodation under subsection (2) hereof at the refugee's place of accommodation during the asylum proceedings.

**13. - (1)** The local council may acquire, fit out or rent properties in the municipality with a view to assisting, through letting for housing purposes, in an improved distribution of the housing possibilities of aliens on a national level, on a regional level and locally in the municipality.

(2) At the letting of a dwelling under subsection (1) hereof, the local council may give both Danish and foreign nationals priority in relation to other housing applicants when done in consideration of the need to promote aliens' possibility of integration in general.

**14. - (Repealed)**

**15. -** If the local council fails to sufficiently exploit its possibilities of assigning permanent dwellings to the refugees allocated to the municipality by the Danish Immigration Service, the Danish Immigration Service may, for the purpose of assigning dwellings to the refugees in question, conclude agreements on the acquisition, fitting out or renting of properties in the municipality on behalf of the local council and for the account of the municipality.

#### Part 4

##### *Introduction programme*

**16. - (1)** An introduction programme planned by the responsible local council must be offered to aliens who, at the date when the local council takes over responsibility, are 18 years of age or more.

(2) An introduction programme includes a Danish course, cf. sections 21 and 22, and offers under section 23. Aliens who do not receive any introduction allowance must only be offered a Danish course. The local council may give offers under section 23, cf. section 23(5), to aliens who do not receive any introduction allowance.

(3) Aliens offered an introduction programme have a duty to participate actively in the individual programme elements. The scope and contents of the individual elements of the introduction programme are laid down in an individual contract concluded between the alien and the local council, cf. section 19.

(4) The introduction programme must be commenced not later than one month after the local council has taken over responsibility for an alien.

(5) The duration of the introduction programme may not exceed three years after the local council has taken over responsibility for an alien.

(6) An introduction programme, cf. subsections (1) to (5) hereof, can be offered to minor, unaccompanied asylum-seekers issued with a residence permit under section 7 or 9c(3) of the Aliens Act.

(7) The local council shall offer aliens who satisfy the conditions therefor assistance under Part 6 of the Act on an Active Social Policy and Part 13 of the Act on Active Employment Measures instead of an introduction programme.

**17. -** The introduction programme for aliens given offers pursuant to section 23 must have a scope of at least 37 hours per week on average, including preparation.

**18. - (1)** An alien may continue his participation in an introduction programme in another municipality if the local council of that municipality accepts taking over responsibility for the introduction programme.

(2) The local council of the municipality to which the alien moves shall take over responsibility for the introduction programme if the removal is of essential importance to the course of integration of the alien in question, or if special personal circumstances otherwise so indicate.

#### *Individual contract*

**19. - (1)** Within one month after having taken over responsibility for an alien falling within section 16, the local council shall prepare an in-

dividual contract with the contents stipulated in section 16(2) or (7) in co-operation with the alien in question.

(2) An individual contract may be concluded with a refugee before the local council of the municipality to which the Danish Immigration Service has allocated the refugee in question, cf. section 10, takes over responsibility for such refugee, cf. section 4(2).

(3) The individual contract is concluded between the alien and the local council on the basis of an overall assessment of the individual alien's situation and needs, the purpose being that the alien finds ordinary employment as quickly as possible. This assessment must include the alien's individual skills and background as well as the needs of the labour market. If ordinary employment is not immediately a realistic goal, the contents of the contract must be planned to enable the alien to improve his possibilities of subsequently obtaining ties with the labour market.

(4) The contract must describe such aliens' occupational or educational goals and determine the contents of the activities necessary to ensure fulfilment of the goals set out in the contract. The contract must state the extent to which the alien must be offered a Danish course and be given offers under section 23 and must specify the contents thereof, including the relationship and connection between the Danish course and offers under section 23. The contract concluded may be of short-term or long-term duration.

(5) The contract must specify the sanctions applicable according to legislation to the alien if he fails to appear at or rejects one or more of the activities agreed in the individual contract.

(6) The Minister for Refugee, Immigration and Integration Affairs may lay down detailed rules governing the conclusion of the contract, its contents, layout and follow-up, cf. section 20.

(7) If no agreement on the contents of the contract can be reached, the local council will determine the contents of the individual alien's introduction programme.

**20. - (1)** Individual contracts must be followed up on regularly according to need, but at least every three months. Follow-up must be in the form of a personal interview. If expedient, such interview may be made by telephone, digitally or by other means.

(2) The local council may lay down guidelines for groups of aliens with a very special situation,

stipulating that an interview may be replaced by another kind of contact.

(3) It must be discussed in connection with the follow-up whether the alien's situation and needs have changed and the extent to which the local council and the alien have complied with the contract. The follow-up must include a discussion of whether the programme agreed on has been followed and of the outcome of the programme in relation to the goals set out. On that basis it must also be discussed whether changes must be made to the contents, composition and goals of the programme.

(4) As regards aliens whose only problem is unemployment, the individual alien's job search must be followed up on, and it must be checked that the data entered into the Job and CV Bank by the alien are adequate, cf. section 25a.

(5) The contract follow-up must provide a basis for the decision of the local council as to whether the alien still qualifies for assistance under this Act, including whether such alien's introduction allowance must be reduced or cease, cf. sections 30 and 31.

(6) If an alien fails to acquire knowledge of the Danish language in a systematic and targeted way within the stipulated time frame, cf. section 4(2) of the Act on Danish Courses for Adult Aliens and others, the local council shall notify the alien of the potential consequences of his inadequate acquisition of skills in the Danish language.

#### *Danish courses*

**21. - (1)** Within one month after having taken over responsibility for an alien falling within section 16, the local council shall offer the person in question a Danish course pursuant to the Act on Danish Courses for Adult Aliens and others. The local council shall continue the Danish course for aliens who, after being issued with a residence permit pursuant to section 7(1) or (2), or section 9b, 9c or 9e of the Aliens Act, have been given tuition in the Danish language and the Danish culture and society by the accommodation operator, cf. section 42f(7), cf. section 42a(5), of the Aliens Act, as soon as the local council has taken over responsibility for the alien in question and registered him in the Central National Register.

(2) Aliens who do not pass a final examination in Danish will be issued with a certificate of ac-

tive participation at the end of the course if the conditions therefor are satisfied, cf. section 5(5) of the Act on Danish Courses for Adult Aliens and others, and the rules issued pursuant thereto.

(3) The local council may refrain in full or in part from offering participation in a Danish course to an alien whose qualifications in Danish are deemed to be sufficient or when very special reasons otherwise so indicate.

**22. -** The local council shall offer a separately planned Danish course to aliens who so need and who, because of commenced employment, training or education, cannot follow the training programme otherwise offered.

#### *Possible offers, etc.*

**23. - (1)** The local council may offer the following to aliens who qualify for the introduction allowance pursuant to section 25:-

- (i) guidance and upgrading, cf. section 23a;
- (ii) a specially adapted job-training scheme, cf. section 23b; and
- (iii) employment with a wage supplement, cf. section 23c

(2) Offers are based on the alien's wishes and background and on labour market needs, the purpose being that the alien will obtain permanent employment and become self-supporting in full or in part as quickly as possible. The individual offers under subsection (1) hereof may be given individually or in combination.

(3) Offers under subsection (1)(i) and (ii) hereof may be given for the purpose of imparting to the individual alien an understanding of the society.

(4) The local council may refrain in full or in part from making offers to an alien when very special reasons so indicate.

(5) The local council may make offers of specially adapted job-training schemes, cf. section 23b, and employment with a wage supplement, cf. section 23c, to aliens who do not receive any introduction allowance to enable them to obtain permanent employment. The said offers may only be given if the alien is registered with the Danish Employment Service.

(6) The Minister for Refugee, Immigration and Integration Affairs lays down detailed rules on the contents of such offers.

(7) The rules laid down by the Minister for Employment pursuant to section 113 of the Act

on Active Employment Measures on compensation in case an alien is injured or causes damage in connection with participation in guidance and upgrading or specially adapted job-training schemes offered apply correspondingly.

**23a.** - (1) The local council may offer aliens guidance and upgrading, which may consist in:-

- (i) short guidance and clarification programmes;
- (ii) specially adapted projects and training, including folk high school courses, traineeships in connection with training programmes and Danish tuition in specific technical language;
- (iii) ordinary training programmes; or
- (iv) special upgrading programmes enabling them to use their educational qualifications in the Danish labour market.

(2) The purpose of such offer is to identify and develop the alien's professional, social and linguistic competencies in order to upgrade them for the Danish labour market.

(3) The duration of traineeships in connection with specially adapted training programmes, cf. subsection (1)(ii) hereof, may not exceed three months altogether, and no individual traineeship may last more than one month. Section 23b(3) applies correspondingly to traineeship periods.

(4) The production and sale of products in connection with specially adapted projects or training programmes, cf. subsection (1)(ii) hereof, may not distort competition. The guidelines laid down by the Minister for Employment pursuant to section 33(2) of the Act on Active Employment Measures apply correspondingly.

(5) The duration of special upgrading programmes, cf. subsection (1)(iv), may be up to three months. No alien may complete such upgrading programme more than once in connection with the introduction programme.

(6) Following specific assessment, the local council may offer guidance and upgrading to aliens over 30 years of age and aliens under 30 years of age who have a duty to maintain children living at home in the form of an education that makes the aliens eligible for a grant under the State Education Grant and Loan Scheme. When making the decision, the local council shall take into consideration the alien's wishes and background and assess the alien's educational desire in relation to the specific needs of the labour market for labour.

(7) The rules on training activities and the duty to report laid down by the Minister for Employment pursuant to section 108 of the Act on Active Employment Measures apply correspondingly.

**23b.** - (1) The local council may offer a specially adapted job-training scheme with a public or private enterprise to aliens who need clarification of their occupational goal, or who face difficulties in finding employment on ordinary pay and working conditions, or employment with a wage supplement, owing to lack of professional, linguistic or social competencies.

(2) The purpose of such offer is to identify and train the alien's professional, social or linguistic competencies and to identify the alien's occupational goal.

(3) Aliens participating in a specially adapted job-training scheme are not covered by the rules applicable to employees according to legislation or collective agreements. Aliens participating in a specially adapted job-training scheme are protected by the working environment legislation and the Act on Prohibition against Differential Treatment on the Labour Market, etc.

(4) The duration of a specially adapted job-training scheme is:-

- (i) up to four weeks for aliens who have no problems other than unemployment, but cf. subsection (4)(ii) hereof;
- (ii) up to 13 weeks for aliens who have no problems other than unemployment, provided that the person has no work experience, has suffered long-term unemployment or generally has difficulties in finding employment with a wage supplement; and
- (iii) up to 13 weeks for aliens who have problems in addition to unemployment.

(5) Upon specific assessment, the job training period may be extended to up to 26 weeks for aliens falling within subsection (4)(ii) and (iii) hereof. If the alien has a special need for a longer period, the period may be extended even further upon specific and individual assessment.

(6) An alien who accepts a specially adapted job-training scheme will receive an employment supplement corresponding to the employment supplement granted under section 45(3) of the Act on Active Employment Measures in addition to the introduction allowance.

(7) The rules of sections 48 and 49 of the Act on Active Employment Measures on the rela-

tionship to the company employees, distortion of competition, etc., and the rules laid down by the Minister for Employment pursuant to section 50 of the Act on Active Employment Measures and section 20 of the Act on Responsibility for and Management of Active Employment Measures apply correspondingly to aliens offered a specially adapted job-training scheme.

**23c.** - (1) The local council may offer aliens employment with a wage supplement with public or private employers. Offers of employment with a wage supplement are given for the purpose of training and refreshing of professional, social or linguistic competencies.

(2) An offer of employment with a wage supplement may be given for a period of up to one year.

(3) Sections 54, 55 and 59 on pay and working conditions, sections 60 and 61 on additional employees, etc., and sections 63 to 65 on wage supplements of the Act on Active Employment Measures towards persons receiving cash assistance or starting assistance under the Act on an Active Social Policy apply correspondingly to aliens who are offered employment with a wage supplement. The Minister for Refugee, Immigration and Integration Affairs may determine that the rules laid down by the Minister for Employment pursuant to section 68 of the Act on Active Employment Measures will apply correspondingly, in full or in part, to aliens offered employment with a wage supplement.

**23d.** - In order to strengthen the introduction to a workplace or to an education programme for aliens who participate in an offer under sections 23a to 23c, support for a mentor function may be provided. A mentor is an employee of the company or educational institution, or an external consultant, who carries out a special task of introducing, guiding or training the alien in addition to what the employer or educational institution is usually expected to do. Sections 78 to 80 of the Act on Active Employment Measures and the rules laid down by the Minister for Employment pursuant to section 81 of the Act on Active Employment Measures apply correspondingly.

**24.** - (1) Aliens receiving offers under sections 23a and 23b for a period of 12 consecutive months or more, must be granted a leisure period of one month in addition to the period fixed so that the offer period does not exceed 11 months

within a period of 12 months. The local council shall endeavour to schedule the leisure period by agreement with the alien.

(2) During the leisure period the alien has no duty to exploit his possibilities of work under section 25(3).

*Grants for expenses for upgrading, introduction and aids in connection with employment*

**24a.** - (1) By agreement with an employer, the local council may offer upgrading, cf. section 23a, to any alien employed without a wage supplement, including aliens employed under special wage and employment conditions set out by the labour market parties owing to insufficient linguistic and maybe professional competencies. It is a condition for upgrading grants that the company is not usually expected to provide such upgrading.

(2) The local council may also pay grants for expenses related to a mentor function, cf. section 23d, for aliens employed without any wage supplement. It is a condition for payment of grants for a mentor function that such mentor function is vital for employment of the alien without any wage supplement.

(3) The local council may pay grants in the form of work implements and minor workplace adjustments for aliens employed without any wage supplement. It is a condition for payment of grants for work implements and minor workplace adjustments that such grant is vital for the alien to maintain or obtain his employment or that the work implement or workplace adjustment compensates for limitation of the alien's work capacity.

(4) The rules laid down by the Minister for Employment pursuant to section 100(4) of the Act on Active Employment Measures on grants for aids apply correspondingly.

(5) The Minister for Refugee, Immigration and Integration Affairs shall lay down detailed rules on the contents of the upgrading programmes that may be offered under subsection (1) hereof.

Part 5

*Introduction allowance*

**25.** - (1) Aliens offered an introduction programme, cf. section 16, qualify under the rules of this Part for an introduction allowance for up to three years from the date when the responsibility



passes to the local council and the alien has claimed the introduction allowance. The local council decides on payment of the introduction allowance under the rules of this Part.

(2) Aliens staying abroad do not qualify for the introduction allowance. Section 5(2) and (3) of the Act on an Active Social Policy on the possibility of retaining the right to assistance during a stay abroad apply correspondingly to aliens receiving the introduction allowance.

(3) The introduction allowance can only be paid out if the alien and his spouse do not have a reasonable offer of work. It is also a condition for an alien whose only problem is unemployment that the alien actively seeks to exploit his possibilities of work. The alien shall also apply for a specific job if so required by the Danish Employment Service or the local council in cases where the employer has not agreed with the Danish Employment Service or the local council that jobseekers will be referred to him.

(4) The alien or the spouse cannot be required to accept work or seek work under subsection (3) hereof if:-

- (i) the offer cannot be considered a reasonable offer owing to circumstances related to the contents of the offer;
- (ii) the person in question cannot work owing to illness, or there is a risk of impairment of health if the work carried out so far is continued;
- (iii) the distance between abode and place of work entails an unreasonable burden on the person in question owing to transport difficulties or the time spent on transportation;
- (iv) the person in question is entitled to absence owing to pregnancy, childbirth or adoption to the extent that he is entitled to daily cash benefits in connection with pregnancy, childbirth and adoption under the provisions of section 12(1) and (2), section 13(1), (2) and (7), section 14(1) to (3) and (8), and section 15(1) and (2) of the Act on Daily Cash Benefits in the event of Sickness or Maternity;
- (v) the person in question has to mind his children, and no other child minding arrangement can be offered;
- (vi) the person in question receives support under the Act on Social Services for minding a disabled child or a dying close relative or under the Act on Daily Cash Benefits in the

event of Sickness or Maternity for minding a seriously ill child;

(vii) the work falls within a dispute under a collective agreement; or

(viii) the work includes the development and manufacture of war material.

(5) If the alien or his spouse has problems in addition to unemployment, the local council shall assess whether, in the individual case, any circumstances other than those mentioned in subsection (4) hereof may justify why the person shall not exploit his possibilities of work.

(6) The rule of subsection (3) hereof does not apply to the alien's spouse if the spouse receives a public maintenance allowance that is not conditional upon the claimant exploiting his possibilities of work. The same applies when the spouse is enrolled in a training or education programme.

(7) The Minister for Refugee, Immigration and Integration Affairs may lay down rules on aliens' duty to exploit their possibilities of work, including that the duty to exploit one's possibility of work may be deviated from in connection with participation in offers under this Act. The Minister may also lay down rules stipulating when the local council shall request a waiver of notice if the claimant or his spouse has a part-time job.

(8) Section 2 and section 14(1) to (3) and (5) of the Act on an Active Social Policy apply correspondingly. The same applies to the rules laid down by the Minister for Employment pursuant to section 14(4) and section 15 of the Act on an Active Social Policy. Section 13(7) and (8) of the Act on an Active Social Policy applies correspondingly if the alien's spouse does not fall within the Integration Act.

(9) If a person living in Denmark shall maintain the alien, and if it is a condition for the residence permit that the person in question has proved to be able to do so, cf. section 9(2) and (3) and section 9c(1), second sentence, of the Aliens Act, the alien does not qualify for the introduction allowance.

(10) An alien who satisfies the conditions for receiving a grant under the State Education Grant and Loan Scheme or a social pension under the Act on Social Pensions or the Act on the Highest Amount of Anticipatory Pension, the Intermediate Amount of Anticipatory Pension, Increased Ordinary Anticipatory Pension and Or-

dinary Anticipatory Pension, etc., does not qualify for the introduction allowance, but cf. subsection (11) hereof and section 23a(6).

(11) The Minister for Refugee, Immigration and Integration Affairs may lay down rules specifying that a special allowance can be granted in special cases to aliens enrolled in a training or education programme.

**25a.** - (1) The local council shall assess whether an alien who has claimed or receives the introduction allowance continues to satisfy the conditions for receiving such assistance by exploiting his possibilities of work if the alien:-

- (i) refuses a job offer;
- (ii) fails to appear at a job placement interview or an appointment with the Danish Employment Service;
- (iii) fails to appear at a job placement or follow-up interview with the local council; or
- (iv) fails to notify the Danish Employment Service, the local council or the relevant employer of his illness in cases where the unemployed alien has been given an offer under section 23 or has been summoned for a job interview with an employer.

(2) The local council makes sure that aliens who have claimed or receive assistance solely because of unemployment are registered with the Danish Employment Service. The local council also makes sure that the Danish Employment Service is notified of the cessation of the assistance.

(3) The Danish Employment Service shall provide the requisite information to the local council for the local council's assessment under subsection (1) hereof.

(4) As quickly as possible and not later than one month after registration with the Danish Employment Service, cf. section 11 of the Act on Active Employment Measures, the alien shall enter a description of his former occupation, education, training, qualifications and other circumstances of relevance for job offers into the Job and CV Bank (the official website of job offers and CVs of the Ministry of Employment), cf. section 13 of the Act on Active Employment Measures.

(5) A local council receiving information in connection with an authority raid which raises doubt as to whether an alien receiving the introduction allowance still fulfils his duty to be available for work shall promptly summon such

alien to a personal interview to be held within one week of receipt of the relevant information.

(6) If the alien qualifies for the introduction allowance and has no problems other than unemployment, the local council shall, within two weeks after the interview:-

- (i) procure an ordinary job for the alien;
- (ii) order the alien to apply for specified jobs in the Job and CV Bank of the Ministry of Employment; or
- (iii) provide the alien with an offer in connection with the introduction programme or order the alien to continue previously offered activities.

**25b.** - (1) The Minister for Refugee, Immigration and Integration Affairs supervises the local councils' assessment of whether an alien is available for the labour market when he has claimed or receives the introduction allowance solely because of unemployment.

(2) Such supervision comprises:-

- (i) decisions made by the local council on availability for work under sections 25 and 25a; and
- (ii) decisions made by the local council on reduction or cessation of the introduction allowance under sections 30 and 31.

(3) The local council shall provide and disclose to the Minister for Refugee, Immigration and Integration Affairs such information as the Minister might demand for the purpose of the supervision under subsection (1) hereof.

(4) The Minister for Refugee, Immigration and Integration Affairs notifies the local council whether the decisions reviewed are deemed to be in accordance with the applicable rules on availability and sanctions, including whether any introduction allowance has been incorrectly paid out with the consequence that the expense cannot be notified to the State for reimbursement purposes.

(5) The Minister for Refugee, Immigration and Integration Affairs may lay down detailed rules on implementation of the supervision.

(6) By agreement, the Minister for Refugee, Immigration and Integration Affairs may authorise the Directorate of Labour in full or in part to supervise the local councils under subsection (1) hereof. In that situation, the Minister for Refugee, Immigration and Integration Affairs may determine that the rules on implementation of the supervision laid down by the Minister for

Employment pursuant to section 13d(5) of the Act on an Active Social Policy shall apply correspondingly, in full or in part, to the supervision performed by the Directorate of Labour.

(7) The Minister for Refugee, Immigration and Integration Affairs may lay down detailed rules on how to make the assessment of what activities or offers are to be given in connection with the introduction programme.

(8) The Minister for Refugee, Immigration and Integration Affairs may determine that the rules on supervision of the practice of the local councils laid down by the Minister for Employment pursuant to section 19(2) of the Act on Responsibility for and Management of Active Employment Measures shall apply correspondingly, in full or in part, to aliens receiving the introduction allowance.

**25c.** - (1) The Prison and Probation Service shall notify the local council if the Prison and Probation Service presumes that an alien deprived of his liberty as a consequence of a criminal offence receives the introduction allowance, cf. section 25.

(2) The police or the Prison and Probation Service shall notify the local council if the police or the Prison and Probation Service presumes that an alien receiving the introduction allowance, cf. section 25:-

- (i) deliberately avoids prosecution in Denmark if the alien in question has been remanded in custody, or the alien in question is wanted by the police with a view to having him remanded in custody, or a custody order has been issued; or
- (ii) deliberately avoids enforcement of a sentence in Denmark if the alien in question has been sentenced to imprisonment or other criminal sanction involving or allowing deprivation of liberty.

(3) Any notification under subsections (1) and (2) hereof must be given to the local council of the municipality of the alien's residence or most recent registered residence.

**26.** - (1) An alien who is offered an introduction programme, cf. section 16, does not qualify for assistance under the Act on an Active Social Policy.

(2) Receipt of the introduction allowance is not a bar to payment of benefits under other leg-

islation than the Act stated in subsection (1) hereof.

**27.** - (1) An alien claiming the introduction allowance will only qualify for the introduction allowance by the end of the month in which he claimed the introduction allowance. The introduction allowance may only be paid for that period of the month during which the alien in question has exploited his possibilities of work, cf. section 25.

(2) The monthly introduction allowance corresponds to the starting assistance granted under the rules of section 25(12) to (14) of the Act on an Active Social Policy. Sections 25b to 25e and section 26(1) to (4) of the Act on an Active Social Policy apply correspondingly.

(3) Aliens remanded in custody or committed to a state or local prison to serve a sentence receive a special allowance under the rules laid down under section 29(ii) of the Act on an Active Social Policy.

(4) An alien who receives the introduction allowance and who has high housing expenses or a heavy burden of maintenance qualifies for special support under section 34 of the Act on an Active Social Policy and the rules stipulated pursuant to that provision, either separately or in connection with payment of the introduction allowance.

**27a.** - (1) The local council may pay out a special introduction allowance in advance to an alien who has claimed the introduction allowance.

(2) The special introduction allowance may not exceed the amount stipulated in section 25a(2) and (3) of the Act on an Active Social Policy. The special introduction allowance can be paid as from the date of the month when the application is made for the proportionate period of the remainder of the month in which the alien is expected to be available for the labour market. By the end of the month of application, a special introduction allowance may be paid for the following month for the number of days that the alien could not be available for the labour market during the month of application, cf. section 25. The proportionate calculation under the second and third sentences hereof is made on the basis of a 30-day month.

(3) Aliens receiving the special introduction allowance under subsection (1) hereof fall with-

in the rules on availability for work of section 25. Section 28(1) applies correspondingly.

**28. -** (1) If the alien and his spouse have a joint income corresponding to at least the amount for which such person(s) would qualify under section 27, no introduction allowance can be paid out.

(2) The rules on income, etc., cf. section 30 of the Act on an Active Social Policy, and income from work, etc., cf. section 31 of the Act on an Active Social Policy, applicable to persons receiving starting assistance apply correspondingly to aliens receiving the introduction allowance.

(3) The rules on holiday allowance and other income, cf. sections 32 and 33 of the Act on an Active Social Policy, apply correspondingly.

**29. -** (Repealed)

**30. -** (1) The local council shall reduce the introduction allowance in relation to the introduction allowance calculated pursuant to sections 27 and 28 if an alien or such alien's spouse, who has claimed or receives assistance, is absent from one or more parts of the introduction programme without reasonable cause.

(2) The reduction pursuant to subsection (1) hereof must be made within three months of the alien's absence.

(3) The reduction under subsection (1) hereof is made in proportion to the part of the introduction programme from which the alien was absent.

(4) The Minister for Refugee, Immigration and Integration Affairs lays down detailed rules on reduction of the introduction allowance.

(5) The local council reduces the employment supplement under section 23b(6) proportionate to the number of hours that the alien is absent without reasonable cause in connection with specially adapted job-training schemes, cf. section 23b.

**31. -** (1) The local council shall decide that the introduction allowance ceases if the alien or his spouse refuses to participate in one or more parts of the introduction programme without reasonable cause, cf. Part 4, as long as the possibility of making use of the offer exists.

(2) The local council shall decide that the introduction allowance ceases if the alien or his spouse is repeatedly absent from one or more parts of the introduction programme without rea-

sonable cause, and the absences are of such considerable scope that the absences are comparable with a refusal of the introduction programme.

(3) If a decision has been made on cessation of the introduction allowance pursuant to subsection (1) or (2) hereof, the cessation lasts for as long as the basis therefor applies. At the end of each month, the local council shall make an assessment thereof.

**31a. -** (1) The local council shall decide whether one-third of the introduction allowance must be repaid over three weeks if the alien has or has had employment of which, in bad faith, the alien failed to give notice under section 49(2). The three-week period mentioned in the first sentence hereof is reckoned from first day of the month following the local council's decision under the first sentence hereof.

(2) If an alien falling within subsection (1) hereof has or has had employment of which, in bad faith, the alien failed to give notice under section 49(2), the local council shall decide whether one-third of the introduction allowance must be repaid over 20 weeks. Subsection (1), second sentence, hereof applies correspondingly.

(3) If an alien falling within subsection (2) hereof has or has had employment of which, in bad faith, the alien failed to give notice under section 49(2), the local council shall decide whether the alien's introduction allowance must be repaid over 20 weeks. In case of repeated failure to give notice, the local council shall make a decision under the first sentence hereof. Subsection (1), second sentence, hereof applies correspondingly.

(4) If an alien falling within subsections (1) to (3) hereof is married to a person who receives the introduction allowance or assistance under section 25(1) to (4) or (12) or section 25a of the Act on an Active Social Policy, the local council shall decide whether the allowance to the spouse must be repaid under the rules of subsections (1) to (3) hereof, or under section 40b of the Act on an Active Social Policy.

(5) Periods during which the alien does not qualify for the introduction allowance, including periods during which the alien's introduction allowance has ceased under section 31, are not included in the calculation under subsections (1) to (3) hereof of the period for which the introduction allowance must be repaid. The first sentence

hereof applies correspondingly to decisions on repayment under subsection (4) hereof.

(6) A decision made by the local council on repayment under subsections (1) to (4) hereof lapses five years after the date of such decision if the local council has not made any claim for repayment.

(7) Section 95 of the Act on an Active Social Policy applies correspondingly to enforcement of claims for repayment under subsections (1) to (4) hereof.

**32. - (1)** If the local council of the municipality to which the alien in question moves has not accepted taking over responsibility for the introduction programme, the local council of this municipality may decide that the introduction allowance is reduced or ceases.

(2) If an alien whose introduction allowance has been reduced pursuant to subsection (1) hereof moves back to the municipality from which the alien in question moved, the local council of this municipality, upon application, pays out the full introduction allowance from the end of the first whole month after the return removal, if the other conditions therefor under the rules of this Part are satisfied.

## Part 6

### *Assistance in special cases*

#### *Assistance in cases of failure of maintenance*

**33. -** The local council may grant current assistance for expenses reasonably incurred for maintenance of aliens who do not qualify under section 25(9) for the introduction allowance, but who would qualify therefor under the other provisions of Part 5 if it has to be excluded that the person responsible for maintenance fulfils his obligations.

#### *Assistance for expenses for participation in introduction programmes*

**34. - (1)** The local council may grant assistance to aliens for specific expenses that are evidenced and reasonable and due to the alien's participation in the introduction programme if the alien in question or his spouse does not have the necessary means to pay the expenses. This implies that the local council may defray expenses for:-

- (i) participation in special courses;
- (ii) transport;

(iii) tools as well as work implements and work clothing;

(iv) very special teaching materials; and

(v) school fees for folk high school courses of no more than 26 weeks in connection with activation under section 23a(1)(ii).

(2) For aliens in specially adapted job-training schemes under section 23b, the assistance is only payable when the expenses for participation therein are covered only to a limited extent by the employment supplement under section 23b(6), cf. section 45(3) of the Act on Active Employment Measures. Aliens who receive an offer of employment with a wage supplement do not qualify for any assistance under section 34(1)(ii).

### *Non-recurrent expenses*

**35. -** The local council may grant assistance to aliens for reasonably motivated non-recurrent expenses, if the alien's own defrayal of the expenses will seriously deteriorate the alien's and his family's possibilities of managing on their own in future. The assistance can normally only be granted if the expenses have been incurred as a result of unforeseeable needs. Following specific assessment the local council may, exceptionally, grant assistance for a foreseeable expense if defrayal of the expense is of vital importance to the conduct of life of the alien or his family.

### *Medical treatment, etc.*

**36. -** The local council may grant assistance to aliens for expenses for medical treatment, medicine, dental treatment or the like that cannot be met under other legislation, if the alien or his spouse does not have the necessary means to pay the expenses. Assistance will only be granted if the treatment is necessary and justifiable for health reasons. Assistance for expenses for treatment outside the public system of treatment will only be granted exceptionally. It is a condition that there are no treatment possibilities within the public system of treatment and that the treatment is medically justifiable in each case.

### *Special assistance concerning children*

**37. - (1)** The local council may grant assistance to aliens for expenses arising in connection with exercise of the right of access to own children

under 18 years of age who do not live together with the alien. It is a condition for granting assistance that the alien or his spouse does not have the necessary means to pay the expenses.

(2) The local council may grant assistance for travel expenses for the purpose of contact with children transferred abroad without the alien's consent. It is a condition that the alien has custody of the children, that the case has been reported to the Danish police, and that the local council has submitted the case to the Ministry of Foreign Affairs. It is furthermore a condition that the alien or his spouse does not have the necessary means to pay the expense.

**38.** - The local council may grant assistance to aliens for the expenses of maintaining a child when, on the death of the person having custody, custody has been awarded to another person or persons who have no duty to maintain the child. It is a condition that the child's income, including the special child benefit under the Act on Child Benefits and Advance Payment of Child Maintenance, is insufficient to cover the expenses of maintaining the child.

#### *Removals*

**39.** - (1) The local council may grant assistance for removals that improve the housing or occupational situation of an alien or his family. It is a condition for the assistance that neither the alien nor his spouse has the necessary means to pay the expenses.

(2) Assistance under subsection (1) hereof is granted by the local council of the municipality from which the alien moves.

(3) If the alien moves to another municipality, assistance under subsection (1) hereof will only be granted if the local council of the receiving municipality has accepted taking over responsibility for the introduction programme.

(4) If the alien moves abroad, assistance under subsection (1) hereof will only be granted provided that the alien in question is a national of or has special ties with the country in question or is assured of lasting work possibilities in that country.

#### *Part 7*

##### *Payment of assistance and repayment*

**40.** - The rules on payment of assistance in Part 11 of the Act on an Active Social Policy apply

correspondingly to amounts paid out pursuant to Parts 5 and 6 of this Act.

**41.** - The rules on repayment in Part 12 of the Act on an Active Social Policy apply correspondingly to amounts paid pursuant to Parts 5 and 6 of this Act.

#### *Part 8*

##### *Integration councils and the Council for Ethnic Minorities*

**42.** - (1) The local council may set up an integration council.

(2) The integration council may give advisory opinions on the general effort of integration in the municipality and on the introduction programmes offered by the local council. The opinions are made public.

(3) The integration council is composed of at least seven members resident in the municipality. The members are appointed by the local council. The period of function of the Council follows the municipal election period.

(4) The local council fixes the number of members. The members are appointed among members of local refugee and immigrant associations or other corresponding persons in the municipality. Furthermore, members are appointed among persons with ties to school boards and local associations in the municipality. The local council may appoint one or more members of the integration council as representatives of the municipality.

(5) The local council sees to the secretarial servicing of the integration council.

(6) The local council lays down the business procedure for the integration council on the basis of a standard business procedure prepared by the Minister for Refugee, Immigration and Integration Affairs.

**43.** - (1) The Minister for Refugee, Immigration and Integration Affairs sets up the committee of representatives of the Council for Ethnic Minorities.

(2) Every four years, each of the integration councils mentioned in section 42 elects one member to the committee of representatives of the Council for Ethnic Minorities among the members mentioned in section 42(4), second sentence. The task of the committee of representatives is to elect the Council for Ethnic Minorities. The period of function of the committee of

representatives follows the municipal election period.

(3) The Minister for Refugee, Immigration and Integration Affairs sees to the secretarial servicing of the committee of representatives of the Council for Ethnic Minorities and to the chairing of meetings.

(4) The Minister for Refugee, Immigration and Integration Affairs lays down rules on the election of and the business procedure for the committee of representatives of the Council for Ethnic Minorities.

**44. - (1)** Every four years, the committee of representatives of the Council for Ethnic Minorities elects 14 members to the Council for Ethnic Minorities among its members. The period of function of the Council follows the municipal election period.

(2) The Council elects one member to be chairman and two members to be vice-chairmen.

(3) The Minister for Refugee, Immigration and Integration Affairs appoints two delegate members from the Ministry of Refugee, Immigration and Integration Affairs who have no right to vote.

(4) The Council for Ethnic Minorities advises the Minister for Refugee, Immigration and Integration Affairs on issues of importance to refugees and immigrants. The Council cannot submit opinions on individual cases.

(5) The Minister for Refugee, Immigration and Integration Affairs sees to the secretarial servicing of the Council for Ethnic Minorities.

(6) The Minister for Refugee, Immigration and Integration Affairs lays down rules on the election of and the business procedure for the Council for Ethnic Minorities.

## Part 9

### *Financing and administration, etc.*

**45. - (1)** Expenses under this Act in respect of aliens are defrayed by the municipality responsible for the effort of integration, cf. section 4. If the alien takes up his abode or residence in another municipality, the expenses under this Act are defrayed by that municipality.

(2) The State reimburses 75 per cent of the expenses of the municipalities for introduction allowances, cf. Part 5, for employment supplements under section 23b(6), and for special al-

lowances and support under section 27(3) and (4).

(3) The State reimburses 75 per cent of the expenses of the municipalities in special cases, cf. Part 6, and for aids in the form of work implements and minor workplace adjustments under section 24a(3).

(4) During the three-year introduction period, cf. section 16(5), the State pays a basic grant for each alien comprised by the introduction programme, cf. section 16. A basic grant of DKK 4,211 per month is payable for aliens for whom the local council has taken over responsibility, cf. section 4(2), before 1 July 2002. A basic subsidy of DKK 3,165 per month is payable for aliens for whom the local council has taken over responsibility, cf. section 4, after 1 July 2002. The basic grant is paid to cover extra social expenses and general expenses pursuant to Parts 3 and 4 in respect of aliens and is paid out to the municipality responsible for the effort of integration, cf. section 4.

(5) The State pays a grant of DKK 6,500 per month for each alien receiving an offer under section 23(1) under the introduction programme to the municipality responsible for the effort of integration, cf. section 4. The grant is paid for one year from commencement of the introduction programme. For the remainder of the introduction programme period, the State pays to the municipality responsible for the effort of integration:-

(i) an employment grant of DKK 6,500 per month for each alien receiving an offer as part of the introduction programme under section 23b or 23c; or

(ii) an education grant of DKK 5,500 per month for each alien receiving an offer as part of the introduction programme under section 23a(1)(i) and (ii).

(6) No grant is paid under subsection (5) hereof for aliens participating in ordinary training programmes under section 23a(1)(iii).

(7) The State pays a grant under subsection (5)(ii) hereof for one month for aliens who are comprised by the mentor scheme under section 23d and participate in an ordinary training programme under section 23a(1)(iii).

(8) The State pays to the local council responsible for the effort of integration, cf. section 4, a grant of DKK 6,500 per month for each alien who does not receive any introduction allow-

ance, but receives an offer under section 23, cf. section 23(5). Such grant is paid out for no more than nine months.

(9) No grant is paid under subsection (5) or subsection (8) hereof for aliens falling within section 16(7).

(10) The State pays to the local council responsible for the effort of integration, cf. section 4, a grant of DKK 6,500 per month for each unaccompanied minor asylum-seeker issued with a residence permit under the Aliens Act who resides in the municipality. This grant is paid until the minor, unaccompanied asylum-seeker attains the age of 18, or the said minor's parents obtain lawful residence in Denmark. No grant will be paid simultaneously in respect of this group of persons under subsections (5), (8), (11) or (14) to (16) hereof.

(11) Instead of grants under subsection (5) hereof, the State pays a grant of DKK 9,750 for each month that a municipality makes an offer under section 23a(1)(iv). Such grant is paid out for no more than three months.

(12) For each month that the State pays a grant under subsection (11) hereof, one month will be deducted from the last part of the entire period in which the grant is paid under subsection (5) hereof.

(13) The State pays no grant under subsection (5) hereof for aliens participating in folk high school courses under section 23a(1)(ii).

(14) The State pays to the municipality responsible for the effort of integration a grant of DKK 4,471 per month for each alien who does not receive any offer under section 23 under the introduction programme, but only attends a Danish course, cf. section 21. No grant is paid to the municipality for aliens falling within section 16(7).

(15) The State pays to the municipality responsible for the effort of integration a grant of DKK 1,287 per month for each alien attending a Danish course for at least five hours each week pursuant to section 22. No grant is paid to the municipality for aliens falling within section 16(7).

(16) The State pays to the municipality responsible for the effort of integration a grant of DKK 2,044 per month for each alien attending a Danish course for at least ten hours each week under section 22, or who attends an upgrading programme for at least ten hours each week under section 24a. The State pays a grant of DKK 2,044 per month for up to three months for each

alien comprised by the mentor scheme under section 24a. Combined with employment, the Danish course or the upgrading programme must amount to at least 37 hours each week.

(17) To the municipality which is or, at the end of the introduction period was in charge of the effort of integration, cf. section 4, for each alien comprised by the introduction programme and for whom an individual contract under section 19 has been prepared, the State pays a performance grant of:-

- (i) DKK 20,000 if the alien passes the Danish test at the level set out in consultation with the provider of the Danish course as the goal in his individual contract, cf. section 19, within the three-year introduction period, cf. section 16(5); and
- (ii) DKK 30,000 if the alien finds ordinary employment within the three-year introduction period, cf. section 16(5).

(18) The performance grant under subsection (17)(ii) hereof will only be paid out if the alien in question has had ordinary employment for a period of six consecutive months.

(19) In 2004, the State pays a grant of DKK 2,000 per month for each alien who has completed the three-year introduction period before 1 January 2005. This grant is paid for each month following completion of the introduction period.

(20) The local council shall procure and give the Minister for Refugee, Immigration and Integration Affairs the information, including statistical information, that the Minister may demand on the effort of integration performed by the local council.

(21) Following negotiation with the Minister for Refugee, Immigration and Integration Affairs, the Minister for Social Affairs may lay down detailed rules on payment of the grants stipulated in subsections (4) to (19) hereof and on the conditions therefor.

#### **46. - (Repealed)**

**47. - (1)** Following negotiation with the Minister for Refugee, Immigration and Integration Affairs, the Minister for Social Affairs lays down detailed rules on authorisation of reimbursement and grants, accounting and audit.

(2) Following negotiation with the Minister for Refugee, Immigration and Integration Affairs, the Minister for Social Affairs lays down rules on limitation of the right of municipalities



and counties to reimbursement and grants under this Act.

**48.** - The amounts stipulated in section 45(4) to (19) have been fixed at the 2003 level and will be adjusted as from 2004 once a year on 1 January by the rate adjustment percentage under the Act on a Rate Adjustment Percentage.

#### Part 10

##### *Procuring and passing on information*

**49.** - (1) Any person who applies for or receives allowances under Parts 4 to 6 has a duty to assist in procuring the information required to decide whether the person in question qualifies for the allowance.

(2) Any person who receives allowances under Parts 4 to 6 has a duty to give the local council information on changes in his circumstances that may be of importance to the continued right to the allowance.

(3) In connection with consideration of cases on allowances under Parts 4 to 6, the local council shall notify the alien in writing of the duty to give information under subsections (1) and (2) hereof, of the types of changes in the alien's circumstances that may be of importance to the assistance and about which the alien has a duty to give information under subsection (2) hereof, and of the consequences of failure to give information about the changes.

**50.** - (1) The local council may demand with the alien's consent that persons and authorities, etc., having knowledge of the circumstances, give information that must be deemed necessary for the consideration of cases on allowances under Parts 4 to 6. This also applies to information on the alien's purely private circumstances and other confidential information. In this connection, the local council may collect doctor's and hospital records.

(2) If the alien's consent cannot be obtained, the information may be procured without consent.

(3) The local council shall inform the alien on the access to procure information under subsection (1) hereof and on the consequences of the alien's failure to assist in procuring information.

(4) The local council may request an interview in court to be conducted under section 1018 of the Administration of Justice Act for the purpose

of procuring information as mentioned in subsection (1) hereof.

(5) The local council may demand information on financial matters in electronic form from other public authorities and unemployment funds. The information may be procured although the person whom the information concerns does not live in the municipality or county that procures the information. The information may be procured as part of the consideration of a single case, or as part of a general search for control purposes.

**51.** - (1) In connection with the grant of a residence permit, the Danish Immigration Service informs the local council with which the responsibility of integration rests of the alien's name, personal data and basis of residence without the alien's consent.

(2) With the alien's consent, the Danish Immigration Service may pass on other information on the alien, including information on the alien's purely private circumstances and other confidential information, to the local council with which the responsibility of integration rests, when it must be assumed that the information is of essential importance to the local council's handling of the responsibility of integration.

(3) If an alien moves to another municipality, the local council of the municipality from which the alien moves informs the receiving local council of the alien's name, personal data and basis of residence without the alien's consent.

(4) If an alien moves to another municipality, and if the local council of the receiving municipality continues an introduction programme commenced for the alien, the local council may, with the alien's consent, pass on information on the alien's purely private circumstances and other confidential information to the receiving local council, when it must be assumed that the information is of essential importance to the local council's handling of the responsibility of integration.

(5) If the consent is not procured, the information stipulated in subsections (2) and (4) hereof may be passed on without consent. If the information is on the purely private circumstances of the person in question, the information may only be passed on in accordance with the rules stipulated in section 28(2) of the Public Administration Act.

**51a. - (1)** A local council authorised pursuant to section 5(2) may request the delegating local council to provide the information necessary to handle the tasks authorised.

(2) A local council which has authorised another local council pursuant to section 5(2) may request the authorised local council to provide the information received by such local council for its consideration of a case as a result of the authorisation.

(3) A local council authorised pursuant to section 5(2) may procure the same information from public authorities and private individuals to handle the tasks authorised as could have been procured by the delegating local council according to legislation if this local council had considered the case.

**52. -** For the purpose of the decision by the Danish Immigration Service to grant a permanent residence permit, cf. section 11(9) of the Aliens Act, the local council, at the request of the Danish Immigration Service, issues an opinion as to whether the alien in question has completed an introduction programme offered to him, cf. Part 4, or, if this is not the case, has completed another comparable course offered to him, and whether the alien in question has overdue debt to any public authorities.

#### Part 11

##### *Rules of appeal*

**53. - (1)** Decisions made by the Danish Immigration Service on whether an alien falls within this Act, cf. section 2(4), on the national figure, cf. section 6, on county and municipal quotas, cf. sections 7 and 8, on allocation, cf. sections 10 and 11, and on assignment of dwellings, cf. section 15, cannot be appealed to any other administrative authority.

(2) Decisions made by the local council under this Act can be appealed to the Social Complaints Board under the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters. The decision made by the local council on appointment of members to the integration council, cf. section 42, cannot be appealed to any other administrative authority.

(3) Decisions made by a local council by authorisation pursuant to section 5(2) cannot be appealed to the delegating local council.

(4) Decisions made following authorisation pursuant to section 5(2) cannot be appealed to the Social Complaints Board, which is the appeals body in relation to decisions made by the delegating local council, cf. subsection (2) hereof.

(5) Opinions issued by the local council under section 52 can be appealed to the Social Complaints Board under the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters.

(6) Decisions of the Social Complaints Board under subsections (2), (4) and (5) hereof cannot be appealed to any other administrative authority. Under the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters, the National Social Appeals Board may take up a case for examination when the National Social Appeals Board deems the case to be of importance as a matter of principle or of generality.

#### Part 12

##### *Definitions*

**54. -** In this Act, refugees, etc., mean aliens issued with a residence permit under:-

- (i) sections 7 and 8 of the Aliens Act;
- (ii) section 9b of the Aliens Act;
- (iii) section 9c(1) of the Aliens Act in direct extension of a residence permit under section 9b of the Aliens Act;
- (iv) section 9c of the Aliens Act when the permit has been issued to an alien who has submitted an application for a residence permit under section 7 of the Aliens Act; or
- (v) section 9e of the Aliens Act.

**55. -** In this Act, aliens reunited with a refugee family member mean aliens issued with a residence permit pursuant to section 9 or section 9c(1) of the Aliens Act as a result of family ties with a person falling within section 54.

**56. -** In this Act, other aliens reunited with a family member mean aliens issued with a residence permit pursuant to section 9 or section 9c(1) of the Aliens Act as a result of family ties with a person not falling within section 54. This definition does not apply to aliens if the person with whom the alien has family ties has been issued with a residence permit under section 9a, 9c(1) or 9f of the Aliens Act in view of carrying out a specific job or another similar purpose.

**57.** - If an alien issued with a residence permit falling within sections 54 to 56 is subsequently issued with a residence permit on another basis, the provisions laid down in this Act have effect as from the first residence permit.

### Part 13

#### *Entry into force and transitional provisions, etc.*

**58.** - (1) This Act enters into force on 1 January 1999, but cf. subsections (2) to (4) hereof.

(2) Sections 6, 7, 8 and 9 enter into force on the day following promulgation in the Danish Law Gazette.

(3) Parts 3 to 6, 9 and 10 of this Act do not apply to aliens issued with a residence permit before 1 January 1999.

(4) Section 62(ii) to (vi) enters into force on 1 July 1998 and has effect as from the grant year 1999.

(5) Not earlier than 1 July 1999, the integration councils hold elections for the committee of representatives of the Council for Ethnic Minorities, which then holds an election for the Council for Ethnic Minorities. If 14 integration councils have not been set up by 1 July 1999, the election is held when this is the case. The period of function of the committee of representatives of the Council for Ethnic Minorities and the Council for Ethnic Minorities then follows the municipal election period.

**59.** - (Omitted).

**60.** - (Omitted).

**61.** - (Omitted).

**62.** - (Omitted).

**63.** - (Omitted).

**64.** - (Omitted).

**65.** - (Omitted).

**66.** - (Omitted).

**67.** - (Repealed)

**68.** - This Act does not apply to the Faroe Islands and Greenland.

Act No. 353 of 2 June 1999 contains the following commencement provision:

### Section 15

(1) This Act enters into force on 1 January 2000.<sup>2)</sup>

(2) (Omitted).

Act No. 394 of 2 June 1999 contains the following commencement provision:

### Section 5

(1) This Act enters into force on 1 July 1999, but cf. subsection (2) hereof.<sup>3)</sup>

(2) (Omitted).

Act No. 57 of 25 January 2000 contains the following commencement provision:

### Section 4

(1) This Act enters into force on 1 February 2000, but cf. subsection (2) hereof.<sup>4)</sup>

(2) Section 27b of the Integration Act as worded by section 1(x) of this Act enters into force on 1 March 2000.

(3) (Omitted).

Act No. 404 of 31 May 2000 contains the following commencement provision:

### Section 6

This Act enters into force on the day following promulgation in the Danish Law Gazette.<sup>5)</sup>

Act No. 424 of 31 May 2000 contains the following commencement provision:

### Section 6

(1) This Act enters into force on the day following promulgation in the Danish Law Gazette.<sup>6)</sup>

(2) (Omitted).

### Section 7

(Omitted).

Act No. 1087 of 13 December 2000 contains the following commencement provision:

### Section 7

(1) This Act enters into force on 1 March 2001, but cf. subsections (2) and (3) hereof.

(2) The amendment of the amounts appearing from section 1(1)(xiv) and (xv), the calculation of the personal supplementary percentage under

section 1(1)(xi) and (xix), and sections 2 to 4 enter into force on 1 January 2001.<sup>7)</sup>

(3) (Omitted).

Act No. 1253 of 20 December 2000 contains the following commencement provision:

#### **Section 11**

(1) This Act enters into force on 1 January 2001.<sup>8)</sup>

(2) (Omitted).

(3) (Omitted).

(4) (Omitted).

Act No. 1269 of 20 December 2000 contains the following commencement provision:

#### **Section 2**

This Act enters into force on 1 January 2001.<sup>9)</sup>

Act No. 145 of 25 March 2002 contains the following commencement provision:

#### **Section 78**

(1) This Act enters into force on 1 January 2003, but cf. section 79(1) hereof.<sup>10)</sup>

(2) (Omitted).

Act No. 361 of 6 June 2002 contains the following commencement provision:

#### **Section 3**

(1) This Act enters into force on 1 July 2002, but cf. subsections (2) to (4) hereof.<sup>11)</sup>

(2) (Omitted).

(3) (Omitted).

(4) Section 2(1)(i) to (viii) applies to aliens for whom the local council takes over responsibility, cf. section 4 of the Integration Act, as from 1 July 2002. The aliens for whom the local council takes over responsibility, cf. section 4 of the Integration Act, before 1 July 2002, fall within the rules applicable so far.<sup>12)</sup> The basic grant under section 45(4) amounts to DKK 4,256 per month for aliens who are comprised by the introduction programme and for whom the local council has taken over responsibility before 1 July 2002. The provisions of section 2(1)(ix) to (xii) only enter into force on 1 January 2003.

Act No. 363 of 6 June 2002 contains the following commencement provision:

#### **Section 2**

This Act enters into force on 1 July 2002.<sup>13)</sup>

Act No. 364 of 6 June 2002 contains the following commencement provision:

#### **Section 2**

(1) This Act enters into force on 1 July 2002.<sup>14)</sup>

(2) For aliens for whom an individual action plan has been prepared before the entering into force of this Act, the rules applicable so far still apply. Aliens for whom an individual action plan has been prepared must be offered the preparation of an individual contract not later than three months after the entering into force of this Act.

Act No. 365 of 6 June 2002 contains the following commencement provision:

#### **Section 8**

(1) This Act enters into force on 1 July 2002, but cf. subsections (2) to (5) hereof.<sup>15)</sup>

(2) (Omitted).

(3) (Omitted).

(4) (Omitted).

(5) (Omitted).

Act No. 438 of 10 June 2002 contains the following commencement provision:

#### **Section 7**

(1) This Act enters into force on 1 July 2002, but cf. subsections (2) to (4) hereof.<sup>16)</sup>

(2) Section 1(1)(i) to (xi), (xxi) to (xxiii) and (xxvii) and sections 2, 5 and 6 enter into force on 1 January 2003, but cf. subsections (5) and (6).<sup>17)</sup>

(3) (Omitted).

(4) (Omitted).

(5) Section 1(1)(i) to (xi), (xxi) to (xxiii) and (xxvii) and section 2 do not apply to persons receiving the introduction allowance, starting assistance or cash assistance at the entering into force of this Act. They retain their right to assistance under the rules applicable so far until the payment has been suspended for at least one month. If such persons subsequently want to receive assistance as a result of a change in their circumstances, they will fall within the amended rules.<sup>18)</sup>

(6) The local council may decide whether a person who has applied for or received assistance in advance will shift from advance pay-

ments of assistance to post-paid assistance if such person's spouse receives post-paid assistance. The same applies to cohabitants if the calculation of cash assistance depends on the spouse's or cohabitant's circumstances.<sup>19)</sup>

Act No. 1034 of 17 December 2002 contains the following commencement provision:

#### **Section 4**

(1) This Act enters into force on 1 January 2003, but cf. subsection (2) hereof.<sup>20)</sup>

(2) The rules of the Act on an Active Social Policy and the Integration Act applicable so far still apply to parents of children, cf. section 1(1)(i) and section 3(1)(i), born before the entering into force of this Act and to parents of adopted children, cf. section 1(1)(i) and section 3(1)(i), received in Denmark before the entering into force of this Act.

Act No. 1037 of 17 December 2002 contains the following commencement provision:

#### **Section 3**

(1) This Act enters into force on 1 January 2003.<sup>21)</sup>

(2) Periods under sections 25, 31 and 38a as worded or amended by section 1(1)(ii), (iv), (v) and (xi) of this Act will be calculated with effect from 1 January 2003 so that periods with cash assistance or periods without any cash assistance prior to this date are not included in the calculation of the period.

(3) Section 35 as amended by section 1(1)(vii) of this Act applies to persons who have commenced or been offered job training with a public employer and are to start on 1 January 2003 or later.

(4) Abolition of the employment supplement for persons receiving cash assistance under section 36(2), as amended by section 1(1)(viii) of this Act will apply to persons who commence individual job training on 1 January 2003 or later.

(5) Abolition of the special benefit under section 38(2) applicable so far, which was repealed by section 1(1)(x) of this Act, will apply to persons commencing an activation programme on 1 January 2003 or later.

(6) Section 1(1)(ii), (iv), (v) and (xiii) apply correspondingly in relation to aliens for whom the local council has taken over responsibility,

cf. section 4 of the Integration Act, before 1 July 2002, cf. the section 3(4), second sentence, of Act No. 361 of 6 June 2002 amending the Act on an Active Social Policy and the Integration Act (amendment of the rules on cash assistance, the introduction allowance, etc.).

Act No. 1040 of 17 December 2002 contains the following commencement provision:

#### **Section 3**

(1) This Act enters into force on the day following promulgation in the Danish Law Gazette.<sup>22)</sup>

(2) For persons whose starting assistance or introduction allowance has been reduced or ceased under the provisions applicable so far of section 26(1), second sentence, of the Act on an Active Social Policy or section 27(1), second sentence, of the Integration Act, the Act will have effect as from 1 July 2002 to the extent that such reduction or cessation is effected because of cohabitation with a recipient of cash assistance.

#### **Section 4**

Section 1(1)(ii) and section 2(1)(i) apply correspondingly in relation to aliens for whom the local council has taken over responsibility, cf. section 4 of the Integration Act, before 1 July 2002, cf. section 3(4), second sentence, of Act No. 361 of 6 June 2002 amending the Act on an Active Social Policy and the Integration Act (amendment of the rules on cash assistance, the introduction allowance, etc.).

Act No. 1043 of 17 December 2002 contains the following commencement provision:

#### **Section 6**

(1) This Act enters into force on 1 January 2003, but cf. subsections (2) and (3) hereof.<sup>23)</sup>

(2) Section 2(4) of the Integration Act as worded by section 1(1)(i) of this Act, section 52 of the Integration Act as amended by section 1(1)(xxiii) of this Act and section 53(1) of the Integration Act as amended by section 1(1)(xxiv) of this Act enter into force on the day following promulgation in the Danish Law Gazette.

(3) Section 56 of the Integration Act as amended by section 1(1)(xxvii) of this Act applies to aliens issued with a residence permit under the Aliens Act after 1 January 2003.

Act No. 60 of 29 January 2003 contains the following commencement provision:

### Section 3

(1) This Act enters into force on 1 April 2003.<sup>24)</sup>

(2) This Act does not apply to aliens who have been issued with a residence permit or have been registered as asylum-seekers under section 48e(1) of the Aliens Act before 1 April 2003.

Act No. 417 of 10 June 2003 contains the following commencement provision:

### Section 9

(1) This Act enters into force on 1 July 2003.<sup>25)</sup>

(2) Persons who have been offered or commenced activation or another employment-generating measure under the rules of the Act on an Active Social Policy applicable so far may commence or complete the activation or measure offered under the rules applicable so far, but cf. subsections (3) and (4) hereof. The expenses defrayed by the local councils for this purpose are reimbursed under the rules applicable so far.

(3) The upper limit for assistance under section 25b as worded by section 1(1)(xxii) of this Act has effect as from 1 January 2004. The calculation of the upper limit takes into account any periods with assistance as from 1 July 2003.

(4) Periods of cash assistance before 1 July 2003 calculated according to the rules of section 25(8) to (10) must be included in the calculation of the period of cash assistance under section 25f(1)(i) as worded by section 1(1)(xxii) of this Act. Section 25f(1)(ii) as worded by section 1(1)(xxii) of this Act applies correspondingly to persons who, pursuant to subsection (2) hereof, commence or complete the activation or a measure offered under the rules applicable so far.

(5) Section 25f as worded by section 1(1)(xxii) of this Act applies correspondingly in relation to the aliens for whom the local council has taken over responsibility, cf. section 4 of the Integration Act, before 1 July 2002, cf. section 3(4), second sentence, of Act No. 361 of 6 June 2002 amending the Act on an Active Social Policy and the Integration Act.

(6) The State reimburses 75 per cent of the expenses of the municipalities for special needs supplements, cf. section 25f(3) as worded by section 1(1)(xxii) of this Act, for aliens for

whom the local council has taken over responsibility, cf. section 4 of the Integration Act, before 1 July 2002, cf. section 3(4), second sentence, of Act No. 361 of 6 June 2002 amending the Act on an Active Social Policy and the Integration Act.

Act No. 425 of 10 June 2003 contains the following commencement provision:

### Section 4

(1) This Act enters into force on 1 January 2004, but cf. subsections (2) to (5) hereof.<sup>26)</sup>

(2) Section 2 enters into force on the day following promulgation in the Danish Law Gazette.

(3) The Minister for Refugee, Immigration and Integration Affairs lays down the time of entry into force of section 23b as worded by section 1(1)(xlii) of this Act as regards specially adapted job-training schemes with private employers, of entry into force of section 23c as worded by section 1(1)(xlii) of this Act as regards employment with a wage supplement with private employers, and of the entry into force of section 24a(2) on grants for expenses relating to the mentor function for an alien employed without a wage supplement.

(4) Section 23b(6) of the Integration Act as worded by section 1(1)(xlii) of this Act only applies to aliens for whom the local council has taken over responsibility after 1 July 2002. The provision applies to aliens for whom the local council has taken over responsibility before 1 July 2002 and who are married to or cohabit with an alien for whom the local council has taken over responsibility after 1 July 2002.

(5) (Omitted).

Act No. 1165 of 19 December 2003 contains the following commencement provision:

### Section 6

This Act enters into force on the day following promulgation in the Danish Law Gazette.<sup>27)</sup>

Act No. 1206 of 27 December 2003 contains the following commencement provision:

### Section 2

This Act enters into force on 1 January 2004.<sup>28)</sup>

Act No. 423 of 9 June 2004 contains the following commencement provision:

### Section 5

(1) This Act enters into force on 1 July 2004, but cf. subsections (2) and (3) hereof.<sup>29)</sup>

(2) Section 1(1)(xvi) enters into force on 1 July 2003.

(3) Section 3(1)(v) to (vii) and section 4(1)(vi) and (vii) enter into force on 1 January 2004.

Act No. 427 of 9 June 2004 contains the following commencement provision:

### Section 3

(1) This Act enters into force on 1 July 2004, but cf. subsections (2) and (3) hereof.<sup>30)</sup>

(2) Sections 9(1)(ii), 9(10), 9(11), 9(13), 9(14), 9(16), 9f and 19(1)(viii) of the Aliens Act as inserted or amended by section 1(1)(i), (vi), (ix), (xx) and (xxx) of this Act do not apply to aliens who have submitted an application for or have been issued with a residence permit before the entering into force of this Act. To such aliens, the rules applicable so far apply.

(3) Section 19(5) of the Aliens Act as inserted by section 1(1)(xxxi) of this Act applies correspondingly to aliens who have been issued with a residence permit under section 9c(1) of the Aliens Act as religious preachers or missionaries before the entering into force of this Act.

(4) Section 33(1), second sentence, and section 33(3), fourth sentence, of the Aliens Act as amended and inserted, respectively, by section 1(1)(xxxvi) and (xxxvii) of this Act do not apply to aliens who, before the entering into force of this Act, have been refused extension of a residence permit issued for the purpose of a temporary stay which cannot be further extended under established practice. To such aliens, the rules applicable so far apply.

Act No. 1380 of 20 December 2004 contains the following commencement provision:

### Section 7

This Act enters into force on 1 January 2005.<sup>31)</sup>

Act No. 304 of 2 May 2005 contains the following commencement provision:

### Section 7

(1) This Act enters into force on 9 May 2005.<sup>32)</sup>

(2) The repetitive effect under sections 2 and 6 is only triggered if also the first non-observance of the duty of disclosure occurred after the entering into force of this Act.

Act No. 327 of 18 May 2005 contains the following commencement provision:

### Section 13

(1) This Act enters into force on 1 July 2005.<sup>33)</sup>

(2) This Act only applies to persons who deliberately avoid prosecution or sentence enforcement on or after 1 July 2005.

(3) If pension payments had ceased at the entry into force of this Act under the rules of section 46 of the Act on Social Pensions applicable so far, the pension payments will be resumed at the end of the stay under the rules of section 34 of the Act applicable so far.

(4) If pension payments had ceased at the entry into force of this Act under the rules of section 45 of the Act on the Highest Amount of Anticipatory Pension, the Intermediate Amount of Anticipatory Pension, Increased Ordinary Anticipatory Pension and Ordinary Anticipatory Pension, etc., applicable so far, the pension payments will be resumed at the end of the stay under the rules of section 34 of the Act applicable so far.

Act No. 402 of 1 June 2005 contains the following commencement provision:

### Section 4

(1) This Act enters into force on 1 July 2005.<sup>34)</sup>

(2) Section 9(2) and (3) of the Aliens Act as worded by section 3(1)(i) of this Act does not apply to aliens who have submitted an application for or been issued with a residence permit before the entering into force of this Act. To such aliens, the rules applicable so far apply.

Act No. 523 of 24 June 2005 contains the following commencement provision:

### Section 23

(1) The Act enters into force on 1 January 2007.<sup>1)</sup>

(2) The municipalities of each of the regions established on 1 January 2007 shall try to agree, before 1 May 2006, on the housing within the individual regions in 2007 of the number of refugees laid down in the national figure for 2007, cf.

section 6 of the Integration Act. The rules laid down in section 7(3) of the Integration Act and the rules laid down pursuant to section 9 of the Integration Act on the county quotas to be fixed by the Danish Immigration Service apply correspondingly if the Danish Immigration Service is not informed of the conclusion of an agreement on regional quotas before 1 May 2006.

(3) The local councils of a region shall try to agree before 10 September 2006 in which municipalities the number of refugees agreed or fixed in the regional quotas, cf. subsection (2), are to be housed in 2007. The rules laid down in section 8(3) of the Integration Act and the rules laid down pursuant to section 9 of the Integration Act on the municipal quotas to be fixed by the Danish Immigration Service apply correspondingly if the Danish Immigration Service is not informed of the conclusion of an agreement on municipal quotas before 10 September 2006.

(4) The tasks placed with the local council associations, cf. section 7 of the Integration Act, are handled by representatives of the municipalities of the individual county if the local council associations have been dissolved.

(5) Appeals of decisions made under sections 128 and 131 of Act No. 419 of 10 June 2003 on Active Employment Measures as amended, sec-

tion 98(1) of the Act on an Active Social Policy as worded by section 4(1)(xi) of this Act, section 32 of the Act on Daily Cash Benefits in the event of Sickness or Maternity, section 17 of the Act on Partial Pensions, Part 3 and sections 43a and 44 of the Act on Social Pensions, sections 13 to 15, 21, 24 and 44 and section 54(3) and (4) of the Act on the Highest Amount of Anticipatory Pension, the Intermediate Amount of Anticipatory Pension, Increased Ordinary Anticipatory Pension and Ordinary Anticipatory Pension, etc.; of decisions made under section 53(2) of the Act on Integration of Aliens in Denmark, except for decisions referred to in section 53(2), third sentence, as worded by section 12(1)(xxii) of this Act; and of decisions made under section 19(2) of the Act on Parental Leave which have not been decided by 31 December 2006 will be considered by the Occupational Complaints Boards.

(6) The National Labour Market Authority decides appeals of decisions under section 129 of the Act on Active Employment Measures, and the Labour Market Appeal Board decides appeals of decisions made under the Act on Compensation for Disabled People in Employment, etc., received by the National Labour Market Authority and the Labour Market Appeal Board by 31 December 2006.

*Ministry of Refugee, Immigration and Integration Affairs, 5 September 2005*

RIKKE HVILSHØJ

/ Susanne S. Clausen



- <sup>1)</sup> The amendments following from Act No. 523 of 24 June 2005, but not to enter into force until 1 January 2007 according to section 23(1) of the Act, have not been incorporated in the text of the Consolidated Act. Act No. 523 of 24 June 2005 reads as follows, except that the provisions which do not affect the Integration Act pursuant to sections 1 to 11 and sections 13 to 22 have been left out:

#### Section 12

The following amendments are made to the Act on Integration of Aliens in Denmark (the Integration Act), cf. Consolidation Act No. 1035 of 21 November 2003 as amended by section 4 of Act No. 1165 of 19 December 2003, Act No. 1206 of 27 December 2003, section 3 of Act No. 423 of 9 June 2004, section 2 of Act No. 427 of 9 June 2004, section 2 of Act No. 1380 of 20 December 2004, section 6 of Act No. 304 of 2 May 2005 and section 12 of Act No. 327 of 18 May 2005:

- (i) In section 7(1) »The local council associations of each county and the Municipalities of Bornholm, Copenhagen and Frederiksberg« is amended into: »The local councils of each region«.
- (ii) In section 7(1), (3) and (4) »counties and in the Municipalities of Bornholm, Copenhagen and Frederiksberg« is amended into: »regions«.
- (iii) In section 7(1), (3) and (5) and section 8(2) and (4), »county quotas« is amended into: »regional quotas«.
- (iv) In section 7(2) to (4), »the local county associations of each county and the Municipalities of Bornholm, Copenhagen and Frederiksberg« is amended into: »the local councils of each region«.
- (v) In section 8(1), (3) and (4) »a county« is amended into: »a region«.
- (vi) In section 8(1) »county quotas« is amended into: »regional quotas«.
- (vii) In section 8(2), »each county« is amended into: »each region«.
- (viii) In section 8(2), »county quota« is amended into: »regional quota«.
- (ix) In section 8(3), »county« is amended into: »region«.
- (x) In section 9, »county« is amended twice into: »regional«, and »county quotas« is amended into: »regional and municipal quotas«.
- (xi) In section 20(4) and section 25a(4) and (6), »the Job and CV Bank« is amended into: »Jobnet«.
- (xii) In section 23(5), second sentence, »registered with the Danish Employment Service« is amended into: »registered with the State job centre as a jobseeker«.
- (xiii) In section 25(3), »Danish Employment Service« is amended twice into: »State job centre«.
- (xiv) In section 25a(1)(ii), »Danish Employment Service« is amended into: »State job centre«.
- (xv) In section 25a(1)(iv) and section 25a(2), second sentence, »Danish Employment Service« is amended into: »State job centre«.
- (xvi) In section 25a(2), first sentence, »registered with the Danish Employment Service« is amended into: »registered with the State job centre as a jobseeker«.
- (xvii) In section 25a(3), »Danish Employment Service« is amended into: »State job centre«.
- (xviii) In section 25a(4), »registration with the Danish Employment Service« is amended into: »registration with the State job centre as a jobseeker«.
- (xix) In section 47(2), »and counties« is deleted.
- (xx) In section 50(5), second sentence, »or county« is deleted.
- (xxi) In section 53(1), »county« is amended into: »regional«.
- (xxii) Section 53(2) is worded as follows:  
»(2) Decisions made by the local council under this Act can be appealed to the Occupational Complaints Board, cf. Part 8 of the Act on Responsibility for and Management of Active Employment Measures. Complaints are considered under the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters. Decisions on the housing of refugees under Part 3 of the Act and decisions on assistance under sections 35 to 39 of the Act can be appealed to the Social Complaints Board under the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters. The decision made by the local council on appointment of members to the integration council, cf. section 42, cannot be appealed to any other administrative authority.«
- (xxiii) In section 53(4), »Social« is deleted.
- (xxiv) In section 53(5), »Social Complaints Board« is amended into: »Occupational Complaints Board«.
- (xxv) Section 53(6) is worded as follows:  
»(6) Decisions of the Social Complaints Board and the Occupational Complaints Board under subsections (2), (4) and (5) hereof cannot be appealed to any other administrative authority. Under the rules of Part 10 of the Act on Legal Protection and Administration in Social Matters, the National Appeals Board may take up a case for examination when the National Appeals Board deems the case to be of importance as a matter of principle or of generality.«

#### Section 23

- (1) This Act enters into force on 1 January 2007.
- (2) The municipalities of each of the regions established on 1 January 2007 shall try to agree, before 1 May 2006, on the housing within the individual regions in 2007 of the number of refugees laid down in the national figure for 2007, cf. section 6 of the Integration Act. The rules laid down in section 7(3) of the Integration Act and the rules laid down pursuant to section 9 of the Integration Act on the county quotas to be fixed by the Danish Immigration Service apply correspondingly if the Danish Immigration Service is not informed of the conclusion of an agreement on regional quotas before 1 May 2006.
- (3) The local councils of a region shall try to agree before 10 September 2006 in which municipalities the number of refugees agreed or fixed in the regional quotas, cf. subsection (2), are to be housed in 2007. The rules laid down in section

8(3) of the Integration Act and the rules laid down pursuant to section 9 of the Integration Act on the municipal quotas to be fixed by the Danish Immigration Service apply correspondingly if the Danish Immigration Service is not informed of the conclusion of an agreement on municipal quotas before 10 September 2006.

(4) The tasks placed with the local council associations, cf. section 7 of the Integration Act, are handled by representatives of the municipalities of the individual county if the local council associations have been dissolved.

(5) Appeals of decisions made under sections 128 and 131 of Act No. 419 of 10 June 2003 on Active Employment Measures as amended, section 98(1) of the Act on an Active Social Policy as worded by section 4(1)(xi) of this Act, section 32 of the Act on Daily Cash Benefits in the event of Sickness or Maternity, section 17 of the Act on Partial Pensions, Part 3 and sections 43a and 44 of the Act on Social Pensions, sections 13 to 15, 21, 24 and 44 and section 54(3) and (4) of the Act on the Highest Amount of Anticipatory Pension, the Intermediate Amount of Anticipatory Pension, Increased Ordinary Anticipatory Pension and Ordinary Anticipatory Pension, etc.; of decisions made under section 53(2) of the Act on Integration of Aliens in Denmark, except for decisions referred to in section 53(2), third sentence, as worded by section 12(1)(xxii) of this Act; and of decisions made under section 19(2) of the Act on Parental Leave which have not been decided by 31 December 2006, will be considered by the Occupational Complaints Boards.

(6) The National Labour Market Authority decides appeals of decisions under section 129 of the Act on Active Employment Measures, and the Labour Market Appeal Board decides appeals of decisions made under the Act on Compensation for Disabled People in Employment, etc., received by the National Labour Market Authority and the Labour Market Appeal Board by 31 December 2006.

- <sup>2)</sup> Section 17 of Act No. 353 of 2 June 1999 (the Repatriation Act) relates to amendment of section 26(1). This provision was re-worded by Act No. 57 of 25 January 2000.
- <sup>3)</sup> Section 4 of Act No. 394 of 2 June 1999 relates to the insertion of the second sentence of section 50(5).
- <sup>4)</sup> Act No. 57 of 25 January 2000 relates to amendment of sections 16, 19 and 23 on the introduction programme, sections 25 to 31, 33, 34, 36 and 37 on the introduction allowance and assistance in special cases, including the insertion of sections 27a, 27b and 28a and Part 6a and re-wording of sections 45, 48 and 59. Sections 27a, 27b and 28a and Part 6a were repealed by section 2 of Act No. 361 of 6 June 2002, cf. note 11.
- <sup>5)</sup> Section 5 of Act No. 404 of 31 May 2000, which was promulgated in the Danish Law Gazette on 2 June 2000, relates to re-wording of section 15.
- <sup>6)</sup> Section 2 of Act No. 424 of 31 May 2000, which was promulgated in the Danish Law Gazette on 2 June 2000, relates to re-wording of sections 55 and 56.
- <sup>7)</sup> Section 3 of Act No. 1087 of 13 December 2000 relates to adjustment of the amounts pursuant to sections 27, 27a, 28, 29, 39a, 45 and 59 and re-wording of section 48.
- <sup>8)</sup> Section 4 of Act No. 1253 of 20 December 2000 relates to re-wording of sections 23(2)(vi) and 28a(3).
- <sup>9)</sup> Act No. 1269 of 20 December 2000 relates to amendment of sections 25, 27, 30 and 31 on the duty to be available for work and sanctions at failure to appear in connection with the introduction programme as well as re-wording of section 33.
- <sup>10)</sup> Section 42 of Act No. 145 of 25 March 2002 relates to amendment of section 7(1) to (4) for the purpose of making the Municipality of Bornholm rank alongside with the Municipalities of Copenhagen and Frederiksberg as regards the rules on agreed and fixed county quotas for the housing of refugees.
- <sup>11)</sup> Section 2 of Act No. 361 of 6 June 2002 relates to re-wording of sections 27, 28, 29, 30(1) and (4) and 34(2) on the introduction allowance and re-wording of sections 45 and 48 on financing as well as abolition of sections 27a, 27b and 28a and Part 6a.
- <sup>12)</sup> Reference is made to sections 27, 27a, 27b, 28, 28a, 29, 30 and 34 and Part 6a, cf. Consolidation Act No. 643 of 28 June 2001.
- <sup>13)</sup> Act No. 363 of 6 June 2002 relates to re-wording of section 34(1) on assistance for expenses in connection with participation in introduction programmes.
- <sup>14)</sup> Act No. 364 of 6 June 2002 relates to amendment of sections 16(2), 19, 21(1), 23(1) and 23(5) on individual contracts.
- <sup>15)</sup> Section 3 of Act No. 365 of 6 June 2002 relates to a consequential amendment of sections 4(3), 16(5), 25(7), 45(3)(ii), 52, 54(1)(ii) to (vi) and 56.
- <sup>16)</sup> Section 2 of Act No. 438 of 10 June 2002 relates to amendment of section 25(1), first sentence, and sections 29(1) and 30(1), the insertion of a new paragraph in section 27 and the insertion of section 27a.
- <sup>17)</sup> Section 2 of Act No. 1034 of 17 December 2002 relates to amendment of section 7(2), (5) and (6) of Act No. 438 of 10 June 2002.
- <sup>18)</sup> Reference is made to notes 16 and 17.
- <sup>19)</sup> Reference is made to notes 16 and 17.
- <sup>20)</sup> Section 2 of Act No. 1034 of 17 December 2002 relates to amendment of section 7(2), (5) and (6) of Act No. 438 of 10 June 2002, while section 3 of Act No. 1034 of 17 December 2002 relates to amendment of section 25(3)(iv).
- <sup>21)</sup> Section 2 of Act No. 1037 of 17 December 2002 relates to a consequential amendment of section 2 of Act No. 438 of 10 June 2002, which relates to section 27(2) of the Integration Act.
- <sup>22)</sup> Section 2 of Act No. 1040 of 17 December 2002 relates to amendment of section 27(1), second sentence. The Act was promulgated in the Danish Law Gazette on 18 December 2002.
- <sup>23)</sup> Section 1 of Act No. 1043 of 17 December 2002 relates to the insertion of subsection (4) into section 2, amendment of section 4(2), amendment of section 5, the insertion of subsection (2) into section 5, re-wording of sections 10 and 12, abolition of sections 14, 46 and 67, re-wording of section 15, the insertion of subsection (2) into section 19, amendment of section 23(2)(iii), the insertion of subsection (7) into section 23, the insertion of section 24a, amendment of section

34(1), section 42(4), third sentence, section 44(1) and section 45(7), the insertion of subsections (8) to (10) into section 45, amendment of section 45(9) (which became subsection (12)), the insertion of subsection (13) into section 45, amendment of section 45(12) (which became subsection (16)), amendment of section 48, the insertion of section 51a, amendment of section 52, amendment of section 53(1), the insertion of subsection (2) into section 53, amendment of section 53(4) (which became subsection (6)), and the insertion of the second sentence into section 56.

<sup>24)</sup> Section 2 of Act No. 60 of 29 January 2003 relates to a consequential amendment of section 16(5).

<sup>25)</sup> Section 8 of Act No. 417 of 10 June 2003 relates to amendment of section 25(6), third sentence, and section 27(2), second sentence.

<sup>26)</sup> Act No. 425 of 10 June 2003 relates to the following: Re-wording of section 1; amendment of section 4(4), second sentence; the insertion of subsection (5) into section 4; the insertion of section 4a; amendment of section 6, first sentence, section 7(1), first sentence, section 7(3), section 8(1), first sentence, and section 8(3); the insertion of the third sentence into section 6; amendment of section 7(1), second sentence, section 7(3), section 7(4), section 8(1), second sentence, section 8(3), section 8(4), section 10(1); the insertion of subsection (2) into section 10; amendment of section 10(2), first sentence (which became subsection (3), first sentence), and subsection (6) (which became subsection (7)); amendment of section 10(3) (which became subsection (4)) and section 10(4) (which became subsection (5)); amendment of section 10(5) (which became subsection (6)) and section 10(6) (which became subsection (7)); re-wording of section 16(2); the insertion of a new subsection (3) into section 16; amendment of section 16(4) (which became subsection (5)), section 16(5) (which became subsection (6)) and subsection (6) (which became subsection (7)); amendment of section 17 and section 19(1); re-wording of section 19(3); the insertion of a new subsection (4) into section 19; amendment of section 19(5) (which became subsection (6)); re-wording of section 20 and section 21(1) and (2); abolition of section 21(3); amendment of section 21(4) (which became subsection (3)); amendment of section 22; re-wording of section 23; the insertion of sections 23a, 23b, 23c and 23d; re-wording of section 24(1) and (2); re-wording of section 24a(1); the insertion of new subsections (2) to (5) into section 24a; the insertion of a new subsection (2) into section 25; re-wording of section 25(2) to (5) (which became subsections (3) to (6)); the insertion of a new subsection (6) into section 25; amendment of section 25(8) (which became subsection (10)); the insertion of section 25a; abolition of section 29; re-wording of section 30(1), (3) and (4); the insertion of subsection (5) into section 30; amendment of section 31(1) and (2); amendment of section 33; re-wording of section 34(2); abolition of section 35(2); amendment of section 45(3); abolition of section 45(4) to (7) and the insertion of new subsections (4) to (10) into section 45; re-wording of section 45(8) (which became subsection (11)); amendment of section 45(9) (which became subsection (12)) and section 45(10) (which became subsection (13)); re-wording of section 45(11) (which became subsection (14)); amendment of section 45(12), first and second sentences (which became subsection (15), first and second sentences); re-wording of section 45(13) (which became subsection (16)); abolition of section 45(14) (which became subsection (17)) and the insertion of new subsections (17) to (19); amendment of section 45(16) (which became subsection (21)) and re-wording of section 48. It should be noted that section 12(3) and (4) erroneously refers to section 23(2)(iii), which no longer exists. Instead section 12(3) and (4) should refer to section 23a(1)(ii).

<sup>27)</sup> Act No. 1165 of 19 December 2003, which was promulgated in the Danish Law Gazette on 22 December 2003, relates to a consequential amendment of section 25(8) (now section 25(10)).

<sup>28)</sup> Act No. 1206 of 27 December 2003 relates to amendment of section 42(1).

<sup>29)</sup> Section 3 of Act No. 423 of 9 June 2004 relates to amendment of section 16(2), second sentence, the insertion of section 23a(7), section 25(7), second sentence, and section 25b, and amendment of section 45(2), (10) and (15), first sentence.

<sup>30)</sup> Section 2 of Act No. 427 of 9 June 2004 relates to a consequential amendment of section 56, second sentence.

<sup>31)</sup> Section 2 of Act No. 1380 of 20 December 2004 relates to re-wording of section 45(21) and section 47.

<sup>32)</sup> Section 6 of Act No. 304 of 2 May 2005 relates to the insertion of section 25a(5) and (6) and section 31a.

<sup>33)</sup> Section 12 of Act No. 327 of 18 May 2005 relates to the insertion of section 25c.

<sup>34)</sup> Section 2 of Act No. 402 of 1 June 2005 relates to the insertion of section 20(6), section 21(1), second sentence, re-wording of section 21(2), section 23c(3) and amendment of section 34(1)(v) and section 52.