

Global Immigration alert

May 2024



Denmark

Denmark approves new rules for permanent residence and family reunification permits

Executive summary

On 30 May 2024, the Danish parliament passed a bill amending the Danish Aliens Act. The bill, which impacts current regulations regarding permanent residence permits and family reunification, will go into effect on 1 July 2024.

Key developments

The following changes will be implemented effective 1 July 2024:

- ▶ *Permanent residence:* Applicants who are charged with, or indicted on, certain crimes may have their permanent residence applications rejected. The current rules only stipulate that applicants must not have been convicted of certain crimes, as it may render the applicant temporarily or permanently ineligible to apply for permanent residence.
- ▶ *Danish nationals moving back to Denmark with non-EU spouses:* Danish nationals who have worked and established their life abroad and then returned to Denmark can apply for family reunification to bring their non-EU spouses with them to Denmark on the same terms and conditions as non-EU nationals who move to Denmark on a work permit and bring their non-EU spouses as accompanying family members. These spouses will be subject to the same terms and conditions as those that are applicable to non-EU spouses of non-EU work permit holders who apply for a residence permit as an accompanying family member. This will make it easier for Danish nationals to bring non-EU spouses to Denmark after having lived abroad.
- ▶ *Family reunification:*
 - ▶ Spouses or partners who seek to apply for family reunification permits will be considered to have met Danish language requirements if they have undertaken

ordinary, full-time employment for at least five years, in positions which involve significant communications in Danish. Currently, these spouses and partners are required to clear the [Prøve i Dansk 3](#) test (or a corresponding test at the same or higher level) to meet the language requirement.

- ▶ The financial guarantee to be raised by Danish nationals will be reduced to DKK 57,000 (approx. USD 8,327), which is 50% less than the current requirement of DKK 114,000 (approx. USD 16,655).

Family reunification applicants can request that their application be processed under the new rules even if they submit it before 1 July 2024, provided the application is still under adjudication as of that date.

Impact on employers

The updated regulations will positively impact Danish workers with non-EU spouses returning to Denmark and it may further help local employers attract these workers.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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