RUT-registrations, visas, and work permits related to temporary events in Denmark

1. Introduction

This memo is intended to support companies from a third country outside the EU, EEA and the Nordics that wish to provide services in and send employees to Denmark in connection with temporary arrangements such as conferences, congresses, company events, fairs etc.

Please note that this memo is not exhaustive and cannot replace dialogue with authorities or relevant advisers. If in doubt, always contact the relevant authorities directly.

Copenhagen Convention Bureau cannot give detailed advice or guidance on specific cases, exemptions, individual business schemes or applications. Copenhagen Convention Bureau is not responsible for the outcome of applications based on the content of this memo.

This memo provides a brief overview of the following:

- Section 2: Visa rules
- Section 3: Requirements for registration of foreign companies in the Register of Foreign Service Providers (RUT)
- Section 4: Work permits related to temporary events
- Section 5: Step-by-step guide: How to apply for a work permit (the Pay Limit Scheme)

2. Visa rules

All citizens from visa-requiring countries who wish to visit Denmark for a period of up to 90 days within 180 days must have a visa. *Please note that a visa is not a work permit (regarding work permits, please see section 4 below)*.

However, Denmark has made several agreements with countries whereby visas are not required (see the list below). It is noted that British citizens are exempt from the requirement to apply for a visa (but they need to apply for a work permit if one is required).

It will be possible to obtain a visa as a private person/tourist for a business visit or for a cultural visit, <u>the latter</u> including participation in conferences.

It is crucial that you <u>do not</u> work when entering on a visa, as in that case a work permit must be applied for as a starting point. There are, however, certain business-oriented activities that can be carried out on a visa, so you will e.g. be able to participate in meetings, negotiations, briefings, training, and take part in conferences as a regular participant.

In determining whether a work permit is required or not, the authorities emphasize whether you help create or change a product or otherwise contribute to the company's *output*.

If actual work is conducted in Denmark, a work permit will generally have to be applied for (see below), but there are also exceptions to the requirement for a work permit under the immigration legislation.

The Danish Agency for International Recruitment and Integration (SIRI) and the Immigration Service can be contacted for a more specific and individual assessment of whether the activities to be conducted during the visa stay require a work and residence permit. If you are in doubt, always contact SIRI and the Immigration Service. We recommend you make the assessment and seek advice by the authorities as early as possible, as it is our experience, that the process can take some time.

Furthermore, if a work permit is required, please note that the case processing time is 1 month going up to 3 months (service goals) if SIRI need further information. Please, make sure you apply well in advance! Please note that case processing times may vary between Danish missions, Visa Application Centres (VFS) or countries representing Denmark, where you can hand in your application

Please read the information via the link below carefully before starting the application process.

Selected case processing times

- China (Guangzhou): Up to 15 days
- India: Up to 15 days
- USA (VFS Global, New York): up to 45 days
- <u>UK: up to 45 days</u>¹.

Resources

- Contact the Danish Immigration Service
- Contact The Danish Agency for International Recruitment and Integration (SIRI)
- Countries with a visa requirement and visa-free countries
- How to apply for a visa (um.dk)
- Where to apply for a visa or residence permit (um.dk)
- It is mandatory for the visa application to have a Schengen-compliant Travel Medical Insurance, including COVID-19 coverage. If you're not covered, get it here: Travel Insurance (vfsglobal.com).

3. Requirements for registration of foreign companies in the Register of Foreign Service Providers (RUT)

If your company will be performing work in Denmark on a temporary basis, you must notify the Register of Foreign Service Providers (RUT) about your company and services. This is also the case for your subcontractors/suppliers. RUT is the Danish government's official register to report a foreign service.

The notification to RUT must be submitted digitally). It is not possible to use a paper form. A digital ID or digital signature is not required for the notification process. The notification can be made in <u>English</u>, <u>German</u>, <u>Polish</u> or <u>Danish</u>.

Once you have submitted the notification to RUT, you will receive a receipt with a RUT number. You will need to state your RUT number when contacting the Danish authorities.

- Read more about RUT and register your company
- User guide for registration in RUT

Please note that during the notification process you must select a sector code which describes the work performed by the company in Denmark (section 3.2, page 10 in the User guide for registration in RUT). Depending on your tasks and work in Denmark, often '82.30 – Organisation of conventions and trade shows' will be the appropriate sector code under 'What sectors are you working in?'.

Please note that under 'Who is the Danish assignee for the work' select 'Danish company' if you are hired by a Danish contractor for the service – otherwise select 'No Danish contractor'.

Call center service for foreign companies

The Danish Working Environment Authority has a special call center service for foreign companies. They can guide you about the rules about notification to the Register for Foreign Service Providers (RUT).

- Please read the most frequently asked questions about RUT below before calling: <u>Questions and answers about RUT (businessindenmark.virk.dk)</u>
- Telephone: +45 70 12 12 88. Press 9 for service in English.

¹ A noted, British citizens are exempt from the requirement to apply for a visa, but it is still possible to apply for a visa in the UK if you are a citizen from a country with a visa requirement.

4. Work permits related to temporary events

The starting point is that if a citizen from a third country outside the EU, EEA and the Nordics is to work in Denmark, then the person in concern must have a work permit. It is therefore important to first clarify 1) whether your employees need work permits, visas, or none of the before mentioned, and 2) if they <u>do</u> need work permits, which occupational scheme you must apply through to get the work permits.

As a result of the implementation of Brexit on 31 January 2020, British citizens are subject to the rules for third country citizens.^[1]

A work permit can be obtained on different grounds, just as there are certain exceptions. Thus, usually attendees and speakers at a congress or event do not have to have a work permit, while event organizer teams and stand builders from a third country outside the EU, EEA and the Nordics who deliver a service (and otherwise contribute to the company's *output*) in Denmark must have a work permit.

It is always a specific and individual assessment from case-to-case weather activities are work and thereby require a work permit. When in doubt, we recommend that you contact <u>The Danish Agency for International</u> Recruitment and Integration (SIRI) in advance.

Overview of job functions and required documents

Below you will find a quick overview of functions/roles/activities in the event industry and the documents that may be required. The list is intended as an overall guideline, and it is not exhaustive. *If in doubt, always contact SIRI directly.*

	Notes	Required documents
End client organizers	Includes representatives and employees from the association/company/event organizer team, which is involved in delivering an event.	Danish work permit*
Agents/3 rd party suppliers	Includes PCO's, venue finders, housing block managers, AV, exhibition handling, content development etc. present in Denmark.	Danish work permit*
Stand builders	Includes all types of technicians, craftspeople, and builders involved in setting up and dismantling stands and other scenography.	Danish work permit*
Exhibitors	For B2C exhibitor selling or providing goods or services directly to the public, a Danish work permit is required.	Danish visa **+***
Speakers	Includes moderators. Hosts, workshop facilitators, consultants or the like working on more commercial conditions may require a work permit.	Danish visa **
Attendees	The attendee's purpose may be to attend speaks, buy products or services, training, social events etc.	Danish visa **
Entertainment	Exempted where an entertainer is considered the main focal point of the event. Where entertainment is not the primary content of the event, a work permit is required.	Danish visa **

^{*} As a rule, site/pre-event planning visits, meetings, negotiations, briefings and training do not require a work permit.

^{**} As stated in section 2, Denmark has entered into visa-free agreements with several countries. This includes the UK, and the US, EU, EEA and the Schengen Area. Please refer to the full list provided here: Countries with a visa requirement and visa-free countries

^{***} As a rule, non-Danish citizens are permitted to be present, exhibit, and engage in commercial B2B activities (such as sales meetings) at industry events without the requirement of specific work permits, provided they do not perform cash transactions.

 $^{^{[1]}}$ As a result of transitional rules, certain UK nationals who have previously resided in the EU may have retained rights under EU rules.

Application procedure: The pay Limit Scheme and the Supplementary Pay Limit Scheme

In most cases where citizens from outside the EU, EEA and the Nordics related to temporary events need work permits, they must apply through one of the pay limit schemes.

Please note that the pay limit schemes are not targeted at temporary events, but they are often the most suitable schemes to use for employees from third countries outside the EU, EEA and the Nordics who are already employed by foreign companies and who must have a work permit.

If you are in doubt about which business scheme for work permits your employees must apply through, please contact <u>SIRI</u>.

Read more about the two schemes here:

- The Pav Limit Scheme: Need to know
- The Supplementary Pay Limit Scheme: Need to know
- The telephone number for work permits concerning the pay limit schemes is +45 72 14 20 01.

Please note that for the Supplementary Pay Limit Scheme it is a condition that the job position has been posted on <u>Jobnet</u> and the <u>EURES</u> portal for at least 2 weeks prior to applying before you apply for a residence and work permit at SIRI. The number of applicants to the job position, as well as whether the job position is still open or the recruitment process finalised, have no impact on your application.

The following describes the application procedure for applicants/employers related to the pay limit schemes. In addition, <u>you will find a step-by-step guide on how to apply for a work permit via the Pay Limit Scheme in this document's section 5 below.</u>

You can currently <u>not</u> apply using the online form on SIRI's website. <u>You must therefore use the application form (AR1) until an online solution is available (enclosed separately)</u>:

- AR1 application form (.doc)
- AR1 application form (.pdf)

You must then follow these procedures:

- The Pay Limit Scheme: How to apply
- The Supplementary Pay Limit Scheme: How to apply

Under the form's section 5 (section 4 for the Supplementary Pay Limit Scheme), instead of filling in the online form, <u>you must use the attached application form in paper form (AR1)</u>. Here, you must pay particular attention to the fact that:

- The applicant fills in the applicant part of the application form with information about, among other things, education, and previous employment, or gives power of attorney to the employer so that they can provide this information.
- The employer (the foreign company which pays the applicant's salary) fills in the employer part of the application form with information about the employment relationship, including the applicant's weekly working hours, job title and salary in Danish kroner (DKK). In addition, a copy of the applicant's current contract with the employer, optionally supplemented with an additional contract with special conditions for the stay in Denmark, must be attached to the application. You can see which information the employment contract must, at least, include here.
- When assessing whether the salary that you have been offered meets, at least, the minimum amount, only the following salary components can be taken into account:
 - \circ Salary in the form of liquid assets, including fixed supplements which are, therefore, guaranteed salary.

- o Payments to labour market pension schemes, including the pension contributions paid by both the employer and the applicant.
- o Paid holiday allowance.
- The application is accompanied by either a letter from the company in Denmark where the applicant will physically work, which exclusively confirms the applicant's presence at this company and states the period for which the applicant must be associated with the company, or a copy of the cooperation agreement that forms the basis of the employee's secondment to Denmark.
- Select Pay Limit Scheme or Supplementary Pay Limit Scheme under scheme in the application form.
- The salary is the amount limit divided by a day's salary, but in addition the salary must be customary according to Danish conditions (<u>Danish standards for salary</u>).
- Please note that to enter the pay limit schemes, you must meet the annual salary requirement. The minimum amount for the Pay Limit Scheme for 2024 is DKK 487,000 and for the Supplementary Pay Limit Scheme it is DKK 393.000. The employer (the company which pays the applicant's salary) fills in the employer part of the application form with information about the employment relationship, including the applicant's weekly working hours, job title and salary in Danish kroner (DKK). In addition, a copy of the applicant's current contract with the employer, optionally supplemented with an additional contract with special conditions for the stay in Denmark, must be attached to the application. It can, for example, be in the form of a temporary salary increase.

The application and other documents must be submitted via SIRI's contact form on the website: www.nyidanmark.dk/en-GB/Contact-us/Contact-SIRI/Contact-form

It is important that you send the application and documents to SIRI via the contact form, and that you <u>do not</u> send it to the Danish Immigration Service!

<u>Please note that the case processing time is 1 month going up to 3 months if SIRI need further information.</u>
<u>Apply in good time!</u>

No requirement for a Danish bank account for stays less than 90 days

If your work permit is valid for less than 90 days, it is not a requirement to open a Danish bank account. If your work permit is extended for more than 90 days, you need to open a Danish bank account within 90 days after the date of your new residence permit.

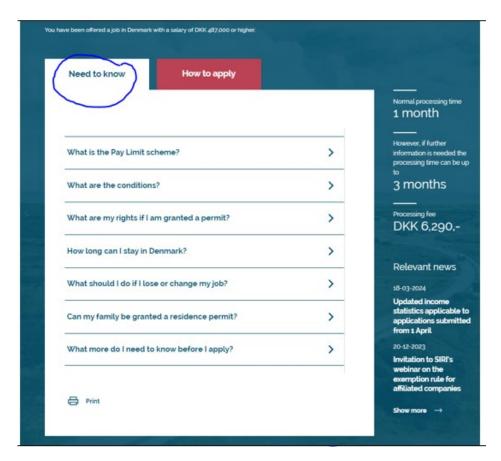
5. Step-by-step guide: How to apply for a work permit (Pay Limit Scheme)

To submit a work permit application to the Danish Agency for International Recruitment and Integration (SIRI), follow this step-by-step guide.

Begin the process by visiting <u>New to Denmark (nyidanmark.dk)</u> and downloading the necessary application form as instructed in section 7 of this document.

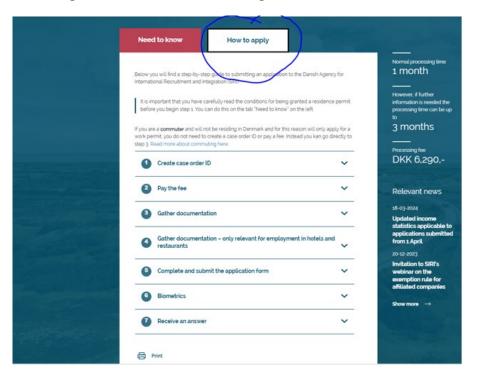
1. Read the conditions "Need to know"

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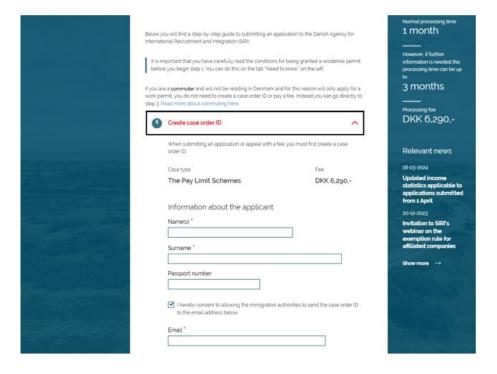
2. Read "How to apply"

Follow the steps from 1 to 7 (Section 4 is exempted)



3. Create case order ID

Fill in information about the applicant. Remember to save your case order ID as you will need it later in the process. You will also receive an email confirmation once the case order ID is created.



4. Pay the fee

It is important that you pay the fee no later than the time you submit your application/appeal. Please be aware of submitting your application form in the same calendar year due to adjustment of the fee as it is regulated every year on the first of January.

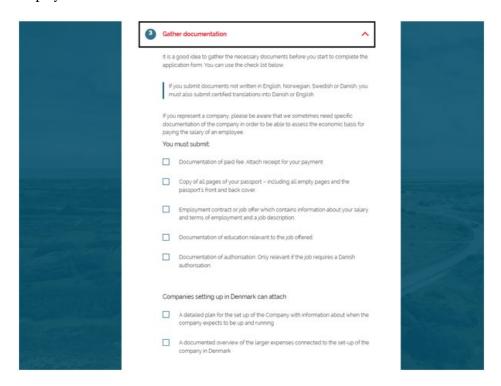
Payment can be made by Visa, MasterCard or by international bank transfer.



5. Gather documentation regarding the applicant.

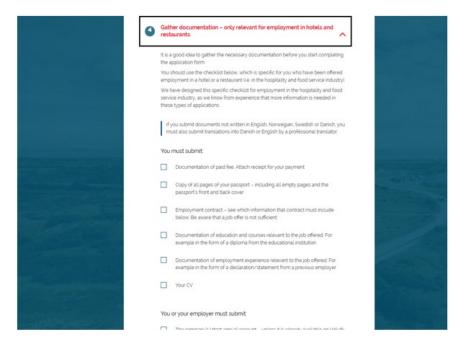
It is important to gather <u>all</u> required documents before completing the application form. Use the check list under 'Gather documentation'.

- These documents include a letter of confirmation from the Danish company where the applicant will work, or a copy of the collaboration agreement with the Danish company. Alternatively, a confirmation letter from the venue where the work will be performed may be submitted.
- Additionally, a copy of the applicant's employment contract is needed, with a salary and terms of
 employment that align with Danish standards (<u>Danish standards for salary</u>). If there is a discrepancy,
 a temporary salary increase could be arranged during the secondment in Denmark. An addendum
 outlining the temporary salary increase and terms of employment must be included with the
 employment contract.



6. Gather documentation - only relevant for employees in hotels and restaurants

<u>You can skip this part</u> as it is only relevant for people seeking employment in hotels and restaurants in Denmark.



7. Application form

A Danish MitID is necessary to access the digital work permit form, <u>but</u> a manual alternative form AR1 is available. The manual application form fir AR1 is attached this note. Both you and your employer are responsible for completing different sections of the form AR1:

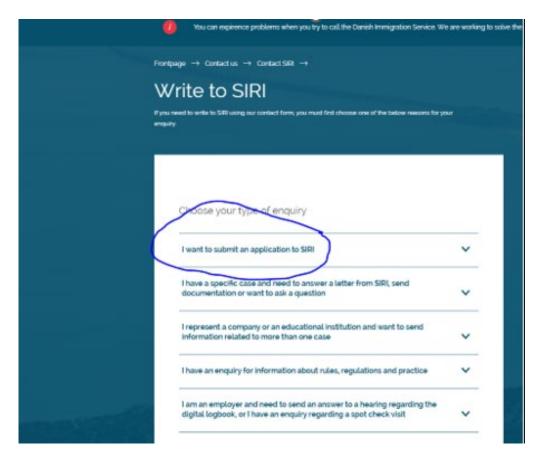
- Application form part 1 (pages 3 to 14) should be filled out by the applicant.
- Application form part 2 (pages 15 to 23) should be completed by the employer.

Companies must choose pay limit schemes in section 16.C and ensure that salaries meet Danish standards, as outlined in this guide's section 5.

8. Submitting the form

You submit the form to SIRI by using this link: New to Denmark (nyidanmark.dk).

Remember to upload the work permit application together with copies of all required documentation.



9. Biometrics

When you apply for a work permit, you must have your biometric features recorded. This means that you must have a facial photo taken and your fingerprints recorded.

• Read more about biometrics here.

Biometrics in Denmark

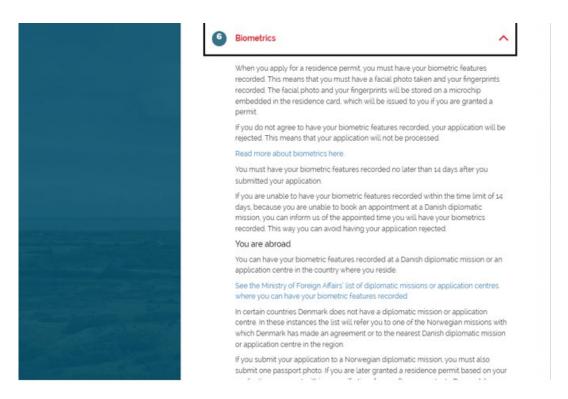
If you are exempted from the visa rules you can travel to Denmark and in advance book a time for a Biometric appointment.

• See SIRI's departments in Denmark where you can have your biometric features recorded.

Biometrics abroad

You can have your biometric features recorded at a Danish diplomatic mission or an application entre in the country where you reside.

• See the Ministry of Foreign Affairs' list of diplomatic missions or application centres where you can have your biometric features recorded.



Waiting for an answer

Visit the website New to Denmark (nyidanmark.dk) to access a variety of resources such as a Q&A, details about the application process, and other helpful information.