

Declaration by Denmark pursuant to Article 9 of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems for the reference year ending 31 December 2020.

I. DECLARATIONS REFERRED TO IN ARTICLE 1(L) OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, insofar as it is covered by the scope of the Regulation, is **1 May 2010**, except where otherwise stated. This is also the date from which the Regulation applies in this Member State.

II. LEGISLATION AND SCHEMES REFERRED TO IN ARTICLE 3 OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

1. Sickness benefits

Benefits in kind

Social Services Act [Lov om social service]

(Certain benefits in kind such as:

- reimbursement of extra costs for children and young persons with substantial and permanent impairment of physical or mental function or serious, chronic or long-term illness;
- personal assistance, care and attendance, ‘care testaments’ and attendance and contact person for adults with impaired physical or mental function or with special social problems;
- treatment of drug addicts;
- technical aids, assistance with the layout and design of the homes of persons with permanently impaired physical or mental function;
- care of closely connected persons with disabilities or suffering from serious diseases;
- employment for persons who are attached to the labour market and who wish to care for a person to whom they are close who has a substantial and permanent impairment of physical or mental function or serious, chronic or long-term, including terminal, illness in the person’s home).

(Consolidation Act No 1287 of 28 August 2020, as amended).

<https://www.retsinformation.dk/eli/ta/2020/1287>

- Health Act [Sundhedsloven]

(Consolidation Act No 903 of 26 August 2019, as amended).

<https://www.retsinformation.dk/eli/ta/2019/903>

- Social Pension Act [Lov om social pension]
(Consolidation Act No 234 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/ita/2021/234>
- Act on General Anticipatory Pensions and Maximum, Average and Increased General Anticipatory Pensions, etc. [Lov om højeste, mellemste, forhøjet almindelig og almindelig førtidspension m.v.] (as regards health allowances)
(Consolidation Act No 233 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/ita/2021/233>
- Active Social Policy Act [Lov om aktiv socialpolitik] (as regards the part concerning reintegration benefit and rehabilitation benefit for persons in the job clarification procedure)
(Consolidation Act No 241 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/ita/2021/241>
- Active Employment Measures Act [Lov om en aktiv beskæftigelsesindsats] (as regards the part concerning the 'reintegration procedure' and 'job clarification procedure' ['revalideringsindsats' and 'jobafklaringsforløb']) interdisciplinary efforts
(Act No 548 of 7 May 2019 on Active Employment Measures, as amended).
<https://www.retsinformation.dk/eli/ita/2019/548>

ii) Cash benefits

- Sickness Benefits Act [Lov om sygedagpenge]
(Consolidation Act No 223 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/ita/2021/223>
- Act on the Legal Relationship between Employers and Salaried Employees [Lov om retsforholdet mellem arbejdsgivere og funktionærer] (as regards the part concerning sickness benefits for salaried employees)
(Consolidation Act No 1002 of 24 August 2017, as amended).
<https://www.retsinformation.dk/Forms/R0710.aspx?id=179871>
- Social Services Act [Lov om social service]
(Certain benefits in cash such as:
 - compensation for loss of earnings to persons caring at home for a child under 18 whose physical or mental function is substantially and permanently impaired, or who is suffering from serious, chronic or long-term illness;
 - constant care allowance for a person caring for a person to whom they are close who wishes to die in his/her home.)

(Consolidation Act No 1287 of 28 August 2020, as amended).

<https://www.retsinformation.dk/eli/Ita/2020/1287>

2. Maternity and equivalent paternity benefits

Benefits in kind

- Health Act (as regards the part concerning hospital treatment)
(Consolidation Act No 903 of 26 August 2019, as amended)
<https://www.retsinformation.dk/eli/Ita/2019/903>

ii) Cash benefits

- Maternity Settlement Act for the Private Labour Market [Lov om barseludligning på det private arbejdsmarked (barseludligningsloven)]
(Consolidation Act No 281 of 26 March 2019, as amended)
<https://www.retsinformation.dk/Forms/R0710.aspx?id=206192>
- Act on Entitlement to Leave and Benefits in the Event of Childbirth [Lov om ret til orlov og dagpenge ved barsel]
(Consolidation Act No 235 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/Ita/2021/235>

3. Invalidity benefits

Benefits in kind

None

ii) Cash benefits

- Social Pension Act [Lov om social pension]
(Consolidation Act No 234 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/Ita/2021/234>
- Act on General Anticipatory Pensions and Maximum, Average and Increased General Anticipatory Pensions, etc. [Lov om højeste, mellemste, forhøjet almindelig og almindelig førtidspension m.v.]
(Consolidation Act No 233 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/Ita/2021/233>

4. Old-age benefits

Benefits in kind

None

ii) Cash benefits

- Labour Market Supplementary Pension Act [Lov om Arbejdsmarkedets Tillægspension - ATP-loven]
(Consolidation Act No 1110 of 10 October 2014, as amended).
<https://www.retsinformation.dk/eli/lta/2014/1110>
- Social Pension Act [Lov om social pension]
(Consolidation Act No 234 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/lta/2021/234>
- Civil Servant Pensions Act [Lov om tjenestemandspension] (In addition to the old age pension, this Act also provides an entitlement to a marital pension and an orphans' pension for children under 18/21 years upon the death of the civil servant).
(Consolidation Act No 510 of 18 May 2017)
<https://www.retsinformation.dk/Forms/R0710.aspx?id=189925>

5. Survivors' benefits

Benefits in kind

None

ii) Cash benefits

- Labour Market Supplementary Pension Act [Lov om Arbejdsmarkedets Tillægspension - ATP-loven] (as regards the part concerning one-off payments to a spouse, a partner and children in the event of the ATP member's death)
(Consolidation Act No 1110 of 10 October 2014, as amended)
<https://www.retsinformation.dk/Forms/R0710.aspx?id=164210>

6. Benefits in respect of accidents at work and occupational diseases

Benefits in kind

None

ii) Cash benefits

- Occupational Injury Insurance Act [Lov om arbejdsskadesikring] (Consolidation Act No 376 of 31 March 2020, as amended).
<https://www.retsinformation.dk/eli/lta/2020/376>

7. Death grants

i) Benefits in kind

- Health Act [Sundhedsloven] (as regards the part concerning funeral assistance) (Consolidation Act No 903 of 26 August 2019, as amended).
<https://www.retsinformation.dk/eli/lta/2019/903>

ii) Cash benefits

- Health Act [Sundhedsloven] (Consolidation Act No 903 of 26 August 2019, as amended).
<https://www.retsinformation.dk/eli/lta/2019/903>

8. Unemployment benefits

i) Benefits in kind

None

ii) Cash benefits

- Unemployment Benefit Act etc. [Lov om arbejdsløshedsforsikring m.v.] (Consolidation Act No 215 of 12 February 2021, as amended)
<https://www.retsinformation.dk/eli/lta/2021/215>
- Active Social Policy Act [Lov om aktiv socialpolitik] (as regards the part concerning unemployment allowance between flexi-jobs in the 'ledighedsydelse' scheme) (Consolidation Act No 981 of 23 September 2019, as amended).
<https://www.retsinformation.dk/eli/lta/2019/981>
- Cash Benefits Act [Lov om kontantydelse] (Act No 174 of 24 February 2015, as amended)
<https://www.retsinformation.dk/eli/lta/2015/174>

9. Pre-retirement benefits

i) Benefits in kind

None

ii) Cash benefits

- Unemployment Benefit Act etc. [Lov om arbejdsløshedsforsikring m.v.] (as regards the part concerning pre-retirement)
(Consolidation Act No 215 of 12 February 2021, as amended)
<https://www.retsinformation.dk/eli/lt/2021/215>
- Subsidised Flexible Employment Scheme Allowance Act [Lov om fleksydelse]
(Consolidation Act No 222 of 12 February 2021, as amended)
<https://www.retsinformation.dk/eli/lt/2021/222>

10. Family benefits

i) Benefits in kind

None

ii) Cash benefits

- Allowances for Children and Young Persons Act [Lov om en børne- og ungeydelse]
(Consolidation Act No 609 of 3 June 2016, as amended)
<https://www.retsinformation.dk/Forms/R0710.aspx?id=180134>
- Child Benefit and Advance Payment of Child Support Act [Lov om børnetilskud og forskudsvis udbetaling af børnebidrag] (except for the rules on advance payment of child support, see Annex I to Regulation (EC) No 883/2004)
(Consolidation Act No 63 of 21 January 2019)
<https://www.retsinformation.dk/eli/lt/2019/63>
- Day-care, Leisure and Club Activities (Children and Young Persons) Act [Lov om dag- fritids- og klubtilbud mv. til børn og unge (dagtilbudsloven)] (as regards the part concerning subsidies for care of own children)
(Consolidation Act No 176 of 25 February 2019, as amended by Section 1 of Act No 1529 of 18 December 2018)
<https://www.retsinformation.dk/eli/lt/2020/1326>

11. Special non-contributory cash benefits

a) Special non-contributory cash benefits intended to provide a minimum level of subsistence pursuant to Article 70(2)(a)(i) of Regulation (EC) No 883/2004

Benefits in cash

None

b) Special non-contributory cash benefits intended to provide a minimum level of subsistence pursuant to Article 70(2)(a)(ii) of Regulation (EC) No 883/2004

Benefits in cash

- Individual Accommodation Assistance Act [Lov om individuel boligstøtte] (Consolidation Act No 229 of 12 February 2021)
<https://www.retsinformation.dk/eli/ta/2021/229>

III. CONVENTIONS ENTERED INTO AS REFERRED TO IN ARTICLE 8(2) OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

None

IV. MINIMUM BENEFITS REFERRED TO IN ARTICLE 58 OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

None

V. POSSIBILITY FOR ANY CATEGORY OF SELF-EMPLOYED PERSONS TO BE COVERED BY AN UNEMPLOYMENT BENEFITS SYSTEM (ARTICLE 65A(1) OF REGULATION (EC) NO 883/2004) AND LEGISLATIVE REFERENCE WHERE APPLICABLE

The legislation of Denmark provides the possibility for self-employed persons to be covered by the unemployment benefits system.

Legislative reference:

- Unemployment Benefit Act etc. [Lov om arbejdsløshedsforsikring m.v.] (Consolidation Act No 215 of 12 February 2021, as amended).
<https://www.retsinformation.dk/eli/ta/2021/215>