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LBK no. 67 of 25/01/2019
Applicable
(The Maternity Law)
Publication date: 26-01-2019 The Ministry of Employment

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Later changes to the regulations

- Act no. 701 of 08/06/2018 § 2
- Act No. 339 of 02/04/2019 § 3
- Act no. 497 of 01/05/2019 § 6
- Act no. 496 of 01/05/2019 § 6
- Act No. 551 of 07/05/2019 § 5

The document's incorporated regulations

- Act No. 701 of 08/06/2018
- LBK no. 822 of 20/06/2018
- Act No. 1526 of 18/12/2018
- Act No. 1710 of 27/12/2018

Links to EU directives, see note 1

31992L0085 html | note

Additional documents:

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Announcement of the Act on the Right to Leave and Subsistence in Maternity (maternity leave) [1)]

This is the act on the right to leave and daily allowance for maternity leave (maternity leave), cf. Consolidated Act no. 822 of 20 June 2018, with the changes resulting from § 2, no. 1 and 2, of Act No. 701 of 8 June 2018, § 6 of Act No. 1526 of December 18, 2018 and Section 3 of Act No. 1710 of December 27, 2018.

The amendment that follows from § 2, no. 3 of Act no. 701 of June 8, 2018, is not incorporated in this statutory order, as it comes into force on 1 January 2020, cf. 3 of Act No. 701 of 8 June 2018 [2)].

Chapter 1

Purpose

§ 1. The purpose of this law is to ensure that parents have the right to absence in connection with pregnancy, birth and adoption and to ensure that parents related to the labor market are entitled to maternity benefits during absence in connection with pregnancy, birth and adoption, etc.

Chapter 2

Delimitation of the person who has the right to absence and maternity allowance under this Act

§ 2. Right to absence according to this Act covers all parents.

PCS. 2. Subsistence benefits under this Act are provided in the form of maternity benefits for employees and self-employed persons.

PCS. 3. It is a condition of the right to maternity allowance for the persons mentioned in subsection (1). 2, that the person meets the employment requirement pursuant to section 27 for employees or section 28 for self-employed persons.

PCS. 4. Maternity allowance that employees are entitled to under subsection (1). 2 and 3, can be paid to employers who have paid wages during the absence, cf. First

PCS. 5. The Minister of Employment shall lay down special rules on maternity allowance for seafarers.

Chapter 3

Stay and taxation in this country

§ 3. The right to maternity allowance is conditional on the person having a legal residence in the country at the beginning of the absence period or following EC regulations on the coordination of social security schemes, is covered by Danish legislation on social security.

PCS. 2. Maternity allowance can, however, be paid during a stay abroad for a person who is posted by an employer domiciled in Denmark for employment for a maximum of 1 year abroad, when the posted income can be taxed in Denmark.

PCS. 3. Maternity allowance may also be paid to a person who, at the beginning of the period of absence, is staying abroad for a period which, in accordance with section 27 (2), has been paid for. 3, or § 28, subs. 2 is disregarded when assessing whether the employment requirement is met.

PCS. 4. Persons who, according to an international agreement on social security, are covered by Danish legislation on social security, are entitled to maternity benefits, even if they do not have a residence in Denmark.

PCS. 5. A person who at the beginning of an absence period is entitled to maternity benefits in accordance with subsection (1). 1-4, retains the right to maternity allowance for the remainder of that period, regardless of where the person is staying.

§ 4. The right to maternity benefits is conditional on the income that is included in the calculation basis according to chapter 8 can be taxed in Denmark.

PCS. 2. However, maternity allowance may be paid to persons whose income is not covered by subsection (1). 1 when

1) Income can be taxed in the Faroe Islands or in Greenland and
2) those concerned do not have or no longer have the right to maternity allowance or other compensation for loss of income according to the legislation of the Faroe Islands and Greenland and the persons in question either have a stay in Denmark or have a stay in Greenland or in the Faroe Islands and the income is acquired by employment in the country or on a Danish ship.

PCS. 3. Persons who, under Community regulations on the coordination of social security schemes, are covered by Danish social security legislation shall be entitled to maternity benefits, even if their income is covered by paragraph 1. 1 cannot be taxed in Denmark.

PCS. 4. Persons who, according to an international agreement on social security, are covered by Danish legislation on social security, are entitled to maternity benefits, even if their income is covered by subsection (1). 1 cannot be taxed in Denmark.

PCS. 5. If a person who is entitled to maternity benefits pursuant to this Act receives a salary from a foreign employer in connection with pregnancy, birth and adoption, the employer is entitled to reimbursement of maternity allowance, cf.

§ 5. Persons with a stay here in the country or income covered by § 4, subs. 1, may not receive maternity allowance if, under the laws of another country or under the legislation of the Faroe Islands or Greenland, they are entitled to unemployment benefits or other compensation for loss of income or those covered by other Community regulations on the coordination of social security schemes. social security legislation.

Chapter 4

Right to absence in connection with pregnancy, birth and adoption

Right to absence during pregnancy

§ 6. A woman is entitled to absence from work due to pregnancy when it is estimated that it is 4 weeks before the birth.

PCS. 2. A pregnant woman is eligible for absence before the 4-week period before birth if

1) after a medical assessment, it is estimated that the pregnancy has a morbid course which, with continued employment, will entail a risk to the woman's health or the fetus, or
2) the particular nature of the work entails the risk to the fetus or the pregnancy due to public regulations prevents her from performing her work and the employer cannot offer her any other appropriate employment.

PCS. 3. A woman is entitled to absence from work in connection with preventive pregnancy studies when these must take place during working hours.

Right to absence for the first 14 weeks after birth

§ 7. A mother is entitled and obliged to absence for the first 2 weeks after a birth. Then she has the right to absence for another 12 weeks.

PCS. 2. The father or co-mother joins the mother's right to absence after subsection (1). 1, if the mother dies or due to illness becomes unable to care for the child.

PCS. 3. A father or co-worker is entitled to absence for 2 consecutive weeks after birth or after receiving the child in the home or in agreement with the employer within the first 14 weeks after birth. Employees and self-employed persons can hold the 2 weeks of absence as non-consecutive periods within the first 14 weeks after birth. For employees, non-consecutive absence requires an agreement with the employer.

Adopters' right to absence in connection with an adoption

§ 8. Upcoming adopters staying abroad to receive a child each have the right to absence from work for up to 4 weeks before receiving the child. The right to absence is extended for up to 4 weeks if the stay abroad before receiving the child becomes longer than 4 weeks for reasons that cannot be attributed to the future adopters.

PCS. 2. The child is considered received when the formal conditions for returning home with the child are met.

PCS. 3. It is a condition for the right to absence according to subsection (1). 1, that it is an adoption that is conveyed by an organization approved under the Adoption Act, or a private alienation adopted after permission from the Family Board.

PCS. 4. For future adopters who are to receive an adopted child in Denmark, there is a right to absence for up to 1 week before receiving the child if the child does not already have a stay in the adopters' home. It is a prerequisite that, for the sake of the child, the adopters stay in the place where the child is, before receiving. The right to absence is extended for up to 1 week if the stay is longer than 1 week for reasons that cannot be attributed to the future adopters.

PCS. 5. When the adoption investigating authorities have decided that the adoptive or one of the adoptive spouses must be in the home for a period, the parents are entitled to absence according to subsection (1). 6 and 7.

PCS. 6. During the first 14 weeks after receipt of the child, one of the adoptive parents at a time is entitled to absence except for the right to concurrent absence for two consecutive weeks. The two weeks in which both parents are entitled to absence, employees and self-employed persons can hold as non-consecutive periods. For employees, non-consecutive absence requires an agreement with the employer. The right to absence after subsection 7 can be started within the first 14 weeks after receiving the child.

PCS. 7. After the 14th week after receiving the child, adopters are entitled to absence from work during parental leave pursuant to sections 9 and 10.

Right to absence during parental leave

§ 9. After the 14th week after the birth or receipt of the child, each of the parents is entitled to parental leave for 32 weeks. However, the father or co-mother has the right to start parental leave within the first 14 weeks after birth.

§ 10. Each parent has the right to extend parental leave pursuant to section 9 from 32 weeks to 40 weeks. Employed employees and self-employed persons have the right to extend parental leave under section 9 from 32 weeks to 46 weeks.

Right to resume work and to postpone the right of absence

§ 11. Employed employees have the right to resume work and postpone at least 8 weeks and a maximum of 13 weeks of the right of absence pursuant to section 9. The right to postpone absence can only be used by one of the parents. The deferred absence, when exercised, must be kept for a continuous period. The deferred right of absence must be exercised before the child reaches the age of 9.

12 .- (1) In agreement with the employer, an employed employee may resume work wholly or partly during absence pursuant to sections 6-11, cf. 5th

PCS. 2. In connection with an agreement on partial resumption of work during absence pursuant to section 7, section 8, subsection (1). 6 and 9, it can be agreed that the right of absence is extended by the time in which the work has been resumed.

PCS. 3. In connection with an agreement to resume full-time work under absence pursuant to section 9, it can be agreed that the right of absence is postponed by the time in which the work has been resumed.

PCS. 4. Deferred right of absence must be exercised before the child reaches the age of 9. If an employee resigns before the deferred right of absence is exercised, the right to absence is conditional on the employee entering into an agreement with the new employer on the deferred right of absence.

PCS. 5. The right to resume work under subsection (1). 1 does not include the mother's absence during the first two weeks after birth.

Absenteeism in special cases

13. If the child is stillborn, dies or is adopted before the 32nd week after the birth, each of the parents is entitled to absence for 14 weeks after the child's death or adoption. In cases where the mother suffers from a pregnancy-related illness, her right of absence is extended, but no more than 46 weeks after the birth.

PCS. 2. If an adopted child dies before the 32nd week after receipt of the child, each of the adoptive parents has the right to absence for 14 weeks after the death of the child.

§ 14. If the child is hospitalized, the period during which there is a right to absence is extended or postponed.

PCS. 2. If the work is not resumed at the time of admission, the period of entitlement to absence is extended by the admission period if the admission takes place during the first 46 weeks after the birth or receipt. However, the right of absence may be extended for a maximum of three months. The right to extend the absence period does not apply to the parents' right to absence pursuant to section 7 (1). 3, or the right of adopters to concurrent absence pursuant to section 8 (2). 6th

PCS. 3. If the work is continued or resumed at hospitalization, the right to absence for the remaining period is postponed until after the discharge. It is a condition that the discharge takes place within 60 weeks of birth or receipt.

Employees' duty to notify employers of the exercise of the right to absence

15 .- (1) A female employee shall, with three months' notice, inform the employer of the expected date of birth and whether she intends to exercise the right to absence before birth, cf. First

PCS. 2. A female employee who utilizes her right to absence during the first 14 weeks after birth, cf. 1, must inform his employer when she will resume work within 8 weeks of the birth.

PCS. 3. A future father or fellow who wishes to exercise his right to absence after the birth, cf. 3, no later than 4 weeks before the expected start of the absence must inform the employer and the length of the absence.

PCS. 4. An employee who wishes to exercise his or her right to parental leave, cf. sections 9 and 10, must inform his employer about the time of the beginning of the absence and the length thereof within 8 weeks of the birth or receipt of the child. If the right of absence is held so that the employee's absence falls for several periods, the notification must include the commencement and the length of later absence.

PCS. 5. In the event of absence pursuant to section 8, adopters shall, as far as possible, observe deadlines corresponding to those in subsection (1). 1-4.

PCS. 6. An employee who utilizes his or her right to absence because the child is stillborn, dies or is adopted away before the 32nd week after the birth, cf. 1, without undue delay, shall notify his employer accordingly. The same applies to an employee who utilizes his or her right to absence, because the adopted child dies before the 32nd week after receipt of the child, cf. 2. If the employee has given notice under subsection (1). 1-5, the notifications made are canceled, and the employer must be notified again without undue delay in situations covered by the first and second paragraphs.

PCS. 7. An employee who utilizes his or her right to absence because the child is hospitalized within the first 46 weeks after the birth or receipt at home, cf. The parents must, without undue delay, inform their employers when the child is received at home after admission. If the child has been received before notification has been made under subsection (1). 2-5, the deadline is extended by the time the child has been hospitalized. If the child is received after notification has been made under subsection (1). 2-5, the notifications issued will lapse and must be notified again within 2 weeks of receipt.

PCS. 8. A parent who joins the mother's right to absence pursuant to section 7 (1). 2, without undue delay, shall inform his employer and the length of the absence.

Section 16. An employee who wishes to postpone between 8 and 13 weeks of parental leave, cf. section 11, must inform the employer no later than 8 weeks after the birth or receipt of the child.

PCS. 2. An employed employee who wishes to exercise the right to hold leave that has been postponed pursuant to section 11 must, with 16 weeks' notice, notify the employer of when the absence commences and of the length thereof. If the employee does not give notice of his absence in time, the right of absence can only be exercised when the issued notice has expired.

17 .- (1) The employee has the right to change the use of the right of absence if a new notice is given before the expiry of the deadline for notification pursuant to section 15 (1). 1-5, and 16. The employee has the right to change the use of the right of absence if circumstances arise which make it unreasonable to maintain the right of absence as notified.

Chapter 5

Right to maternity benefit during absence in connection with pregnancy, birth and adoption, etc.

18 .- (1) The employer pays unemployment benefit during absence from work due to preventive pregnancy surveys, cf. 3. The provision shall not apply to the extent that an obligation of the employer to pay daily allowance or other appropriate

benefit results from a collective agreement which at least corresponds to the provisions of Directive 92/85 / EEC on the introduction of measures to improve safety and health at work for pregnant workers who have recently given birth or are breastfeeding.

§ 19. For persons who fulfill the conditions for entitlement to maternity allowance, including the employment requirement for employees in section 27 or for self-employed persons in section 28, Payments Denmark pays maternity allowance according to the rules in this chapter during absence in connection with pregnancy, birth and adoption.

20. In the event of absence pursuant to section 6 (1), 1 and 2, and Sections 7, 8, 13 and 14 Payout Denmark pays maternity allowance calculated according to chapter 9.

§ 21. In the event of absence during parental leave, cf. sections 9 and 10, the parents together have the right to maternity allowance calculated according to chapter 9 for 32 weeks up to 46 weeks after the birth or receipt of the child.

PCS. 2. If the absence is extended pursuant to section 10, the unemployment benefit payment will cease when, in total, maternity benefits have been paid to the parents without a reduction under subsection (1). 3 for 32 weeks.

PCS. 3. If the parents request payment Denmark, the payment of maternity allowance during absence pursuant to section 10 may be extended, so that they are paid out for 40 weeks, by reducing the weekly subsistence allowance calculated according to chapter 9, so that the total unemployment benefit amounts to a maximum amount that corresponds to full maternity allowance for 32 weeks. For employed employees and self-employed persons, the payment of maternity benefits during parental leave can be extended so that they are paid out in 46 weeks.

PCS. 4. The reduction according to subsection (1). 3, which must include maternity allowance for both parents, takes place from the time the parents request payment from Denmark, and are distributed over the remaining extended unemployment benefit period.

PCS. 5. After the payment of reduced maternity allowance has begun, the parents are not able to resume work, in whole or in part, with the effect that the maternity allowance, which is not exercised, can subsequently be exercised pursuant to section 23.

PCS. 6. The Minister of Employment may lay down more detailed rules on entitlement to unemployment benefits under subsection (1). 1, when only one of the parents is covered by Danish legislation on social security.

22. Employees and self-employed persons may resume work wholly or in part during the periods in which there is a right to maternity allowance pursuant to sections 20 and 21. However, this does not apply to a mother during the first two weeks after the birth.

PCS. 2. No maternity allowance is paid for weeks where work is resumed full time.

PCS. 3. The Minister of Employment shall lay down rules on the payment of maternity allowance for weeks in which the work has been resumed in part.

23. In the event of partial resumption of work during absence pursuant to section 7, section 8, subsection (1). 6 and 9, the right to maternity allowance, to the extent that it is not exercised by the other parent, may be extended by the time during which the work has resumed, and is paid in the event of later absence, cf. 5th

PCS. 2. Upon resumption or commencement of work under absence pursuant to section 9, the right to maternity allowance, to the extent that it is not exercised by the other parent, may be postponed by the time when the work is resumed, and is paid during later absence, cf. , PCS. 5th

PCS. 3. The right to maternity allowance during later absences is conditional on the recipient of the unemployment benefit fulfilling the employment requirement in § 27 or § 28 when the postponed leave must be kept.

PCS. 4. The right to maternity allowance during later absences is also conditional on the applicant being in employment immediately prior to the absence period.

PCS. 5. The right to maternity allowance during later absences lapses when the child reaches the age of 9.

24 .- (1) The Minister of Employment may lay down more detailed rules on entitlement to unemployment benefits pursuant to sections 18-23, including rules on how maternity allowance is distributed among the child's parents.

Earning the right to holiday allowance during maternity leave

25 .- (1) When maternity benefits are paid during absence under section 7 (1), 1 or 2, or § 8, subs. 6, 1st sentence, until 31 August 2019, entitlement to holiday allowance is earned. The holiday allowance is paid in the following holiday year. Holidays with holiday allowance earned during the period from 1 January 2019 to 31 August 2019 will, however, be held during the period from 1 May 2020 up to and including 31 August 2020.

PCS. 2. This right does not apply to the extent that, in the The period referred to in paragraph 1 shall be entitled to 1) pay during vacation and holiday allowance according to the holiday act, collective agreement etc.

2) holiday allowance according to the holiday law, etc., which as a minimum corresponds to the unemployment benefit according to section 35, subs. 1, or

3) holiday allowance with the right to payment in the following holiday year according to the Act on Unemployment Insurance etc.

PCS. 3. The employment requirement, cf. section 27, shall apply correspondingly to the payment of holiday allowance under this provision at the beginning of the holiday in the following holiday year.

PCS. 4. § 33, subs. 1, and section 35 shall apply correspondingly in calculating holiday allowance pursuant to this provision.

PCS. 5. The Minister of Employment shall lay down more detailed rules on the right to accrue and payment of holiday allowance.

Earning the right to holiday allowance for people in employment

§ 25 a. An employee who is in an employment relationship during absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st paragraph, in the period from September 1, 2019 to August 31, 2020, earn the right to holiday allowance, regardless of whether maternity benefits have been paid during the absence.

PCS. 2. The court under subsection (1) 1 does not apply to the extent that during absence according to subsection 1 earned the right to

1) pay during vacation and holiday allowance according to the holiday act, collective agreement etc.

2) holiday allowance according to the holiday law, etc., which as a minimum corresponds to the unemployment benefit according to section 35, or

3) holiday allowance with the right to payment in the period from May 1, 2020 through August 31, 2020, according to the Act on Unemployment Insurance etc.

PCS. 3. Holiday with holiday allowance, which is earned according to subs. 1 in the period from 1 September 2019 to 31 December 2019, will be held in the period from 1 May 2020 to 31 August 2020, if the employee during the period from 1 January 2019 through August 31, 2019 has earned less than 8.3 days paid holiday according to the holiday law. Second holiday with holiday allowance earned according to subs. 1 will be paid by Payment Denmark upon request.

PCS. 4. An employee who, because of special circumstances, cf. 3, 1st sentence, has the right to hold the holiday during the subsequent holiday holding period.

PCS. 5. An employee who, in an employment relationship, has earned holiday pay under the Act on Unemployment Insurance etc. during absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, is entitled to holiday with holiday allowance during the subsequent holiday holding period, if the employee, due to special circumstances, cf. section 38 of the holiday law, is unable to hold the holiday with holiday pay before 1 September 2020.

PCS. 6. Resigns the employee before the holiday according to subs. 3-5, the holiday allowance is paid out of the Payment Denmark upon request.

PCS. 7. The holiday allowance is calculated in accordance with sections 33 and 35 on the basis of the circumstances at the time of the absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, when the holiday is paid or paid, cf. 3-6.

PCS. 8. The Minister of Employment shall lay down more detailed rules on the right to accrue and payment of holiday allowance under this provision.

§ 25 b. An employee who is in an employment relationship during absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, from 1 September 2020, earns the right to holiday with holiday allowance, regardless of whether maternity allowance has been paid during the absence.

PCS. 2. The court under subsection (1) 1 does not apply to the extent that during absence according to subsection 1 earned the right to

1) pay during vacation and holiday allowance according to the holiday act, collective agreement etc.

2) holiday allowance according to the holiday law, etc., which as a minimum corresponds to the unemployment benefit according to section 35, or

3) holiday allowance with the right to payment during the holiday period according to the Act on Unemployment Insurance etc.

PCS. 3. Holiday with holiday allowance earned during the holiday year according to subs. 1 shall be held during the associated holiday holding period, cf. 4th

PCS. 4. An employee who, owing to special circumstances, cf. sections 12-14 of the holiday act, cannot before the end of the holiday period hold a paid holiday with holiday allowance under subsection (1). 1, has the right to hold the holiday during the subsequent holiday period.

PCS. 5. An employee who, in an employment relationship, has earned holiday pay under the Act on Unemployment Insurance etc. during absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, is entitled to holiday with holiday allowance during the subsequent holiday holding period, if the employee, due to special circumstances, cf. sections 12-14 of the Holiday Act, is unable to hold the holiday with holiday pay before the end of the holiday period.

PCS. 6. Resigns the employee before the holiday according to subs. 3-5, the holiday allowance is paid out of the Payment Denmark upon request.

PCS. 7. The holiday allowance is calculated in accordance with sections 33 and 35 on the basis of the circumstances at the time of the absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, when the holiday is paid or paid, cf. 3-6.

PCS. 8. The Minister of Employment shall lay down more detailed rules on the right to accrue and payment of holiday allowance under this provision.

Earning the right to holiday allowance for people who are not in employment

25 c. A person who is not in an employment relationship during absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, during the period from 1 September 2019 to 31 August 2020, earns only the right to holiday allowance during the period from 1 September 2019 to 31 December 2019. The court is subject to that maternity benefits have been paid during the absence, and that during the period from 1 January 2019 up to and including 31 August 2019 less than 8.3 days paid holiday has been earned according to the holiday law. The holiday will be held during the period from 1 May 2020 to 31 August 2020.

PCS. 2. The court under subsection (1) 1 does not apply to the extent that during absence according to subsection 1 the right to holiday allowance is earned with the right to payment in the period from 1 May 2020 up to and including 31 August 2020 in accordance with the Act on Unemployment Insurance etc. or holiday allowance pursuant to section 25 a, paragraph 1. 1. During the period from January 1, 2019 to December 31, 2019, no more than a total of 16.6 days of holiday allowance can be earned with the right to payment during the period from 1 May 2020 to 31 August. 2020 and holiday allowance according to subs. First

PCS. 3. Payment of holiday allowance is conditional on the person fulfilling the employment requirement in section 27 at the commencement of the holiday during the holiday period according to subsection (1). 1, 3rd paragraph

PCS. 4. The holiday allowance is calculated in accordance with sections 33 and 35 on the basis of the circumstances at the time of the holiday.

PCS. 5. The Minister of Employment shall lay down more detailed rules on the right to accrue and payment of holiday allowance under this provision.

§ 25 d. A person who is not in an employment relationship during absence pursuant to section 7 (1). 1 or 2, or § 8, subs. 6, 1st sentence, from September 1, 2020, earn the right to holiday allowance when maternity benefits are paid during the absence.

PCS. 2. The court under subsection (1) 1 does not apply to the extent that during absence according to subsection 1 is entitled to holiday allowance with the right to payment during the holiday period according to the Act on Unemployment Insurance etc. or holiday allowance pursuant to § 25 b, paragraph 1. First

PCS. 3. Holiday with holiday allowance earned during the holiday year according to subs. 1 is held during the associated holiday holding period.

PCS. 4. Payment of holiday allowance is conditional on the person fulfilling the employment requirement in section 27 at the commencement of the holiday during the holiday period.

PCS. 5. The holiday allowance is calculated according to sections 33 and 35 on the basis of the circumstances at the time of the holiday.

PCS. 6. The Minister of Employment shall lay down detailed rules on the right to accrue and payment of holiday allowance under this provision.

Right to unemployment benefits for caring for seriously ill children

§ 26. Parents with severely ill children under the age of 18 are entitled to unemployment benefits from the Danish Payments Denmark, if they, in connection with the child's illness, wholly or partly abandon wage work or personal work in self-employment.

PCS. 2. It is a condition that the child's illness is deemed to entail a need for a stay in a hospital or similar institution for 12 days or more. Home care or care can be treated as a hospital stay if the child's needs in connection with the disease speak for it.

PCS. 3. The requirement in subs. 2 on a period of sickness of 12 days or more does not apply to hospital stays for children of single parents who are entitled to ordinary family allowance under § 2, no. 1 or 2, of the Child Allowance Act and advance payment of child support.

PCS. 4. Payment In special cases, Denmark may decide that a higher daily subsistence allowance may be granted to the child's parents than stipulated in section 35 (1). First

PCS. 5. A maximum of daily unemployment benefits may be granted pursuant to subsection (1). 1 for 52 weeks within the previous 18 calendar months.

PCS. 6. The Minister of Employment shall lay down more detailed rules on the conditions for the payment of unemployment benefits to parents with severely ill children under the age of 18, including rules on how the unemployment benefit is distributed among the child's parents.

Chapter 6

employment Requirements

27 .- (1) An employee shall be entitled to maternity allowance from Udbetaling Danmark when the person concerned

1) the day before the absence or on the first day of absence is in employment and has been employed for at least 160 hours, cf. 2, within the last 4 completed calendar months prior to the absence period and for at least 3 of these months have been employed for at least 40 hours in each month;
2) would have been entitled to unemployment benefit or a benefit that replaces it, cf. the Act on Unemployment Insurance etc., if there had been no right to unemployment benefit under this Act,
3) would have been entitled to temporary labor market benefit, cf. the Act on Unemployment Insurance etc., if there had been no right to unemployment benefits under this Act,
4) within the last month, a professional training of at least 18 months has been completed;
5) is a student in a paid internship in an education that is regulated by or according to law, or
6) is employed in a flex job according to § 70 c of the Act on active employment efforts.

PCS. 2. The calculation of the employment requirement according to subsection (1). 1, no. 1, is made on the basis of reports to the income register, cf. 4. The statement includes hours during which the employee has,

1) worked as an employee,
2) the work as a self-employed person immediately prior to the work as an employee and with the company has fulfilled the employment requirement under section 28,
3) received daily allowance under the Act on sickness benefit or unemployment benefit under this Act,
4) received unemployment benefits or a replacement service instead
5) received temporary labor market benefit, cf. the Act on Unemployment Insurance, etc.
6) held holiday with pay or holiday allowance or
7) received reimbursement during a period of notice from the Employees' Guarantee Fund.

PCS. 3. In assessing whether the employment requirement according to subsection 1 is disregarded, periods of up to 2 years are disregarded, where, according to the Social Services Act, compensation has been granted for lost earnings when caring for a disabled child in the home or, under the same law, remuneration has been granted for the care of the dying or by this law Section 26 has been granted unemployment benefits for parents with seriously ill children. Furthermore, periods where maternity allowance under section 21 would be entitled to be disregarded, but where the other parent has been paid the maternity allowance or his employer has been paid reimbursement, and from periods when the employee has been subject to a work conflict.

PCS. 4. The Minister of Employment may lay down more detailed rules on when the employment requirement pursuant to subsection (1) shall apply. 1, no. 1, and on the calculation and placement of hours, as well as conversion etc. of income relating to hours covered by subsection (1). 2. The Minister of Employment may also lay down more detailed rules that employment and incomes not reported to the income register, cf. the Income Register Act, may be included in the calculation of hours according to subsection (1). 1, no. 1, and para. 2nd

28 .- (1) The right to maternity allowance for a self-employed person is conditional on the fact that, during the last 12 months, an independent activity has been carried out for at least half of the normal contractual weekly working hours of at least six months, of which the last month prior to the absence. If the self-employment has been exercised for less than 6 months, periods of prior employment are counted as employees.

PCS. 2. In assessing whether the employment requirement according to subsection 1 is disregarded, periods of up to 2 years are disregarded, where, according to the Social Services Act, compensation has been granted for lost earnings when caring for a disabled child in the home or, under the same law, remuneration has been granted for the care of the dying or by this law Section 26 has been granted unemployment benefits for parents with seriously ill children.

PCS. 3. A self-employed person who receives a subsidy for the maintenance of employment in his own company pursuant to section 70 gives the Act on an active employment effort, regardless of the requirement in subsection (1). 1 right to maternity benefit as self-employed.

Section 29. The condition for payment of maternity allowance is that the employment requirement in section 27 or the employment requirement in section 28 is fulfilled at the commencement of an absence period.

PCS. 2. However, maternity allowance may be paid from the time when a person, after the commencement of his / her absence, fulfills the employment requirement mentioned in section 27 (1). 1, no. 2 and 3.

PCS. 3. When calculating the employment requirement according to subsection (1). 1 includes periods in which a woman, due to the special nature of the employment relationship, had to cease work within 4 weeks before the birth or it is deemed necessary after a medical assessment that the woman was spared work.

PCS. 4. The conditions in subsection (1). 1 does not apply to the payment of unemployment benefits during preventive pregnancy studies pursuant to section 18.

Chapter 7

The claimant's application for maternity allowance

§ 30. In the case of a request for maternity allowance pursuant to section 20 in connection with absence before 4 weeks before the expected birth, cf. 2, the absence must be notified and documented. The Minister of Employment sets rules on this.

PCS. 2. Requests for maternity allowance pursuant to sections 20-23 shall be submitted to Payments Denmark for persons other than a unemployed member of an unemployment fund no later than 8 weeks after the birth or the child's receipt. If a period of absence commences at a later date, a request for maternity benefit must be submitted no later than 8 weeks after the first day of absence during this period, cf. 8th

PCS. 3. If the employer has paid wages during the absence, the employee's request for maternity allowance after termination of the wage payment must be submitted to Paying Denmark no later than 8 weeks after payment of salary from the employer has ceased.

PCS. 4. An unemployed member of an unemployment fund who wishes to apply for maternity allowance pursuant to sections 20 or 21 must notify the unemployment fund at the latest 8 weeks after the birth or receipt of the child. If an absence period begins at a later date, notification of the absence to the unemployment fund must take place no later than 8 weeks after the first day of absence during this period.

PCS. 5. Within 1 week of receiving a notification under subsection (1). 4, the unemployment fund must report the absence via Nemrefusion to Payout Denmark, which then issues a notification letter to the unemployed member with the information received.

PCS. 6. The unemployed member must, no later than 8 weeks after receiving the notification letter pursuant to subsection (1). 5 Request Payments Denmark for maternity allowance.

PCS. 7. Has the request been submitted after the deadlines in paragraph 1? 2, 3 or 6, or the notification has been made according to the deadline in subsection (2). 4, the entitlement to maternity allowance for the period prior to the request or notification lapses.

PCS. 8. The Minister of Employment may lay down more detailed rules on the possibility that an employee shall not submit a new application under subsection (1). 2, when the period of absence is interrupted for a shorter period due to the holding of holiday, in what way requests according to subsection (2) apply. 2, 3 and 6 must be submitted, and an exemption from the deadline in subsection (2). 2-4 and 6.

§ 31. Requests for unemployment benefits for the care of seriously ill children pursuant to section 26 must be submitted to Payments Denmark no later than 8 weeks after the first day of absence. If the request is made after this deadline, the entitlement to maternity allowance will lapse for the period prior to the request.

PCS. 2. The Minister of Employment may lay down more detailed rules on the manner in which applications pursuant to subsection (1) shall apply. 1 must be submitted and dispensation from the deadline in subsection (1). First

Chapter 8

Calculation basis for maternity allowance

32 .- (1) Maternity allowance shall be paid on the basis of salary income and other income that replaces salary, cf. 2, and self-employment income.

PCS. 2. The Minister of Employment shall lay down rules as to which income shall be included in the income from work, and which income shall be included in self-employed income, and on the calculation of maternity benefits on the basis of

the earnings from work in self-employment, including the use of income information from the tax administration.

§ 33. Maternity allowance for employees who are absent is calculated on the basis of the weekly number of hours during the absence and the hourly earnings that the employee has on average achieved in current employment conditions in the last 3 completed calendar months prior to the beginning of the absence, after payment of labor market contributions. Calculation of hourly earnings is based on reports according to the Act on an Income Register, cf. 2nd

PCS. 2. The Minister of Employment may lay down more detailed rules

1) statement of the hourly earnings according to subs. 1, including the placement of reported pay hours and income, conversion of income, etc.,
2) that employment and incomes that have not been reported to the income register, cf. the Act on an Income Register, can be included in the calculation of hourly earnings,
3) calculation of hours and use of other calculation periods than stipulated in subsection (1). 1 for employees with unknown or varying working hours, etc.
4) calculation of maternity allowance for employees who start a new absence period shortly after the last absence period, newly graduated, new employees, etc.
5) recalculation of maternity allowance for employees who pay extra contributions at an employer-managed pension savings
6) recalculation of maternity benefits in special cases and
7) derogation from section 35 (1). 1, for employees with changing working hours.

PCS. 3. The Minister of Employment shall lay down rules on the payment of maternity allowance for weeks in which the work has been resumed in part.

34 .- (1) The Minister of Employment shall lay down rules on the calculation of unemployment benefits under this Act for persons employed in flexible jobs and self-employed persons who receive a subsidy for the maintenance of employment in their own company pursuant to Chapter 13 of the Act on Active Employment Efforts. The Minister of Employment shall also lay down rules on the calculation of unemployment benefits under this Act if employment is terminated during a leave period.

Chapter 9

The size of the maternity allowance

35 .- (1) Maternity allowance for employees according to section 33 may not amount to more than DKK 3,332 per week and no more per person. than this amount divided by the normal weekly contractual working hours.

PCS. 2. Unless otherwise stated, maternity allowance is paid to employees after a 5-day week with equal shares per employee. day.

§ 36. Maternity allowance for a unemployed member of a recognized unemployment fund is paid at the rate that the person on the first day with the right to maternity allowance per person. day could have received in unemployment benefit or temporary labor allowance if the person had not received daily allowance pursuant to this Act, cf. 2 and 3.

PCS. 2. Maternity allowance for a unemployed member of a recognized unemployment fund, which participates in offers pursuant to section 33 a of the Act on active employment, is calculated according to subsection (1). 1 in the same way as if the person did not participate in the offer. Maternity allowance for persons who receive the right to maternity benefit under section 29 (1). 2, is paid at the rate on which the person on the first day is entitled to maternity allowance per day. day could have received in unemployment benefits or temporary labor market benefits.

PCS. 3. Maternity allowance for a member of a recognized unemployment fund, who becomes unemployed during the absence period, is paid at the rate that the person on the first day entitled to maternity allowance after termination of employment per year. day could have received in unemployment benefits or temporary labor market benefits.

PCS. 4. The Minister of Employment shall lay down more detailed rules on the calculation of maternity benefits on the basis of supplementary unemployment benefits and rules on the future change of the rate in subsection (1). 1-3 in special cases.

§ 37 . week does not amount to more than the amount mentioned in section 35 (1). 1. If a voluntary insurance has been subscribed according to the rules in Chapter 16 of the Act on sickness benefits, the maternity allowance constitutes at least two-thirds of the amount mentioned in section 35 (1). First

PCS. 2. For self-employed persons, maternity allowance is paid after a 5-day week from Monday to Friday with equal shares per day. day.

PCS. 3. The Minister of Employment shall lay down rules on the payment of maternity allowance for weeks in which the work has been resumed in part.

Adjustment of maternity benefits

§ 38. The daily allowance referred to in section 35 (1). 1, is regulated once a year per year. the first Monday in January with the rate adjustment percentage according to the law on a rate adjustment percentage and in accordance with § 38 a. The regulated amount is rounded to the nearest whole amount of krone that can be divided by five. The rounded amount forms the basis for the next year's rate regulation.

§ 38 a. By the annual regulation mentioned in section 38, the rate adjustment percentage for the financial year in question is applied, less a percentage, cf. 2nd

PCS. 2. For the financial year 2016, the percentage is 0.3. For the financial year 2017, the percentage is 0.4. For the financial years 2018-2023, the percentage is 0.75.

Chapter 10

Refund and financing etc.

Employer's right to reimbursement of maternity allowance

39 .- (1) An employer who pays wages during absence from work is entitled to receive the maternity allowance that the employee would otherwise be entitled to from Paying Denmark in respect of the same working conditions, but no more than an amount corresponding to the salary paid during the absence.

PCS. 2. If the employee is paid wages during absence from several employers, the maternity allowance is shared between the employers in relation to the unemployment benefits that the individual working conditions justify.

PCS. 3. An employer who pays wages during absence pursuant to section 6 (1). 2, in order to be able to make a reimbursement claim, cf. 2, report the absence and document the right to absence.

PCS. 4. The Minister of Employment shall lay down more detailed rules on the application of the provision in subsection (1). 3, including the consequences for the employer's right to reimbursement in the event of non-compliance with the deadline for notification of the absence pursuant to section 6 (1). 2nd

Notification of reimbursement requirements

40 .- (1) An employer who, pursuant to section 39, is entitled to reimbursement of maternity benefits, must notify the reimbursement requirement via Nemrefusion to Payout Denmark.

PCS. 2. The employer's request for reimbursement for wages paid in connection with absence due to pregnancy, maternity and adoption and by caring for seriously ill children according to section 26 must be submitted to Payments Denmark no later than 8 weeks after the expiry of a period of leave. If a request is made after this deadline, the right to reimbursement for that period lapses.

PCS. 3. A leave period is deemed to have expired when, for one week, no absence entitles the holder to reimbursement.

PCS. 4. Payments Denmark may, however, pay reimbursement when the time limit in subsection (1) is exceeded. 2 is due to operational disturbances of Nemrefusion of a scope and duration that has precluded the employer from notifying in good time.

PCS. 5. Refunds for wages or per diem benefits paid in connection with absence due to preventive pregnancy studies cannot be granted.

PCS. 6. When notifying the reimbursement claim, the employee must be informed of the information that the employer has given to Paying Denmark in the notification of the reimbursement requirement. An employee who does not agree with what the employer has stated must make Udbetaling Danmark aware of this.

PCS. 7. The Minister of Employment may lay down more detailed rules on the manner in which the employer's reimbursement requirement must be notified to Payout Denmark.

financing

41. No reimbursement of expenses for unemployment benefits pursuant to section 18 shall be granted.

§ 42 The State shall pay the expenses for the Payment of Denmark's payments pursuant to this Act.

Section 43 (Repealed)

Chapter 11

Contribution to the Labor Market Supplementary Pension

Section 44. In connection with the payment of unemployment benefits from the Danish Payments Payments pursuant to this Act to employees who have reached the age of 16, twice the contribution determined pursuant to section 15 in conjunction with Section 2 a of the Danish Labor Market Supplementary Pension Act shall be paid.

PCS. 2. The detailed rules for calculating the contribution shall be determined by the Board of Directors of the Labor Market Supplementary Pension, in accordance with the principles set out in section 15 of the Danish Labor Market Supplementary Pension Act.

PCS. 3. The employee pays 1/3 of the contribution, while 2/3 is paid by Payout Denmark.

PCS. 4. The employee contribution calculated by Paying Denmark is rounded off to the nearest whole amount of NOK. Disbursement Denmark's share of the contribution is twice this.

PCS. 5. The employee's part of the contribution is withheld by the unemployment benefit payment.

§ 45. Payment Denmark's payment to the Labor Market Supplementary Pension is covered by a contribution from the employer. Payment of Denmark's expenses for payment pursuant to section 44 (1). 3, is held by the state.

PCS. 2. The employer's contribution is calculated in relation to the number of employees from employers who receive maternity benefits from the Payout Denmark.

PCS. 3. To cover the employer's part of the ATP contribution, cf. 1, private employers who are registered under the VAT Act or the Act on the tax on payroll etc. must pay financing contributions. The requirement for registration does not apply to foreign companies and companies in the Faroe Islands and Greenland.

PCS. 4. Private employers who are not registered under the Act on the tax on wages, etc., and who are only registered under the VAT Act as a result of the purchase of goods mentioned in section 46 (1). 1, no. 8-10, in the VAT Act, in Denmark or within the rest of the EU, can be exempted from the obligation to pay financing contributions pursuant to subsection (1) upon application to the Labor Market Supplementary Pension. Third

PCS. 5. The financing contribution must be paid to the Labor Market Supplementary Pension, which is responsible for collecting and recovering financing contributions from the employers.

PCS. 6. Financing contribution according to subsection (1). 5 can be collected together with other financing contributions that are collected from the employers by the Labor Market Supplementary Pension.

PCS. 7. Financing contributions to be charged under subsection (1). 5, and which is under DKK 100 for a payment period, is canceled. Financing contributions are collected together with other financing contributions from employers, cf. 6, constitutes the contribution in the first sentence. the sum of the total financing contributions.

PCS. 8. The financial contribution from employers under subsection (1). 1 and 3 are determined by the Minister of Employment on the recommendation of the Labor Market Supplementary Pension. The financing contribution includes administrative costs, including administrative costs for the Labor Market Supplementary Pension. The Minister of Employment sets detailed rules on the size of the funding contribution.

PCS. 9. The financing contribution is calculated by the Labor Market Supplementary Pension on the basis of the total contributions received by the Labor Market Supplementary Pension from the employer for a prior period, the length of which corresponds to the period during which payment of financing contributions relates. The contribution annually constitutes the financing contribution stipulated by the Minister of Employment, for each time the employer pays an amount corresponding to the annual contribution under section 15 (1). 1, in the Act on the Labor Market Supplementary Pension.

PCS. 10. The Labor Market Supplementary Pension may obtain the information from the tax authorities and other public authorities about the employer in question, which is required to carry out the collection and recovery of the financial contributions, interest and handling fees owed, including information on income and wealth. For use in calculating, collecting and processing financing contributions, access to information in the Labor Market Supplementary Pension Register is available to the extent necessary.

PCS. 11. If the financing contribution is not paid in time, the employer must pay interest on the financing contribution with the interest rate fixed at any time pursuant to section 5 of the Interest Act from the due date.

PCS. 12. The Labor Market Supplementary Pension has the right of pledge for financing contributions, interest and handling fees.

PCS. 13. Decisions on financing contribution and financing contributions, including calculation and collection, may, within a period of 4 weeks from the day on which the decision is notified, be brought before the Appeals Board for the Labor Market Supplementary Pension, cf. section 28 of the Act on the Labor Market Supplementary Pension.

PCS. 14. The Minister of Employment shall, after negotiation with the Labor Market Supplementary Pension, lay down more detailed rules on calculation periods, set-off and payment of financing contributions, etc., including on due date and deadline for the employer 's payment. Under these rules, it can be stipulated that the Labor Market Supplementary Pension may grant deferral of payment, charge a processing fee upon demand due to non-payment and waive financing contributions, interest and any handling fees.

PCS. 15. The Minister of Employment shall lay down more detailed rules on the application for exemption under subsection (1). 4, including documentation and reimbursement of contributions.

§ 46. When paying unemployment benefits under section 18 from employers during absence due to preventive pregnancy studies, contributions are paid to the Labor Market Supplementary Pension according to the rules set out in chapter 26 of the Act on sickness benefits.

Section 47 (Repealed)

Chapter 12

Administration, etc.

Section 48 Payments Denmark makes a decision on the right to maternity allowance.

Section 48a. For the purpose of Paying Denmark's decision on a person's right to unemployment benefit after maternity leave, including rate, Udbetaling Danmark may request the unemployment fund of which the person is a member to determine whether the person would have been entitled to unemployment benefit and with which rate if the person had not been entitled to unemployment benefits after the maternity leave.

PCS. 2. The Minister of Employment shall lay down more detailed rules on how the payment of Denmark's request shall be made, how the information is transferred from the unemployment fund to Payout Denmark etc.

49. Persons receiving benefits under this Act shall notify the employer of changes in their circumstances or other circumstances that may result in a change in or withdrawal of the unemployment benefit, including the employer's ability to receive reimbursement.

PCS. 2. A person who has disregarded his duty of disclosure under subsection (1). 1 or pursuant to section 11 of the Act on Legal Security and Administration in the Social Area or otherwise against better-knowing unjustified receiving benefits under this Act, shall repay the amount received incorrectly.

PCS. 3. Reimbursement amounts are charged by Payments Denmark in accordance with rules laid down by the Minister of Employment in consultation with the Minister of Taxation.

PCS. 4. Claims for repayment of overpaid benefits under this Act may be set off against benefits under the Act.

Section 49 a. A person is not entitled to maternity allowance for a period in which the person, by final judgment, has found to have violated section 101 a, paragraph 1 of the Criminal Code. 1, § 114 c, subs. 3, §§ 114 d, 114 e or 114 g for circumstances committed abroad, section 114 j, paragraph 1 of the Criminal Code. 1, or for a period in which the person is finally found to have been abroad in violation of a travel ban laid down pursuant to section 2 b, subsection 1. 1, in the Act on Passports to Danish Citizens etc.

PCS. 2. Payment Denmark must make a decision on the repayment of maternity allowance paid to the person for a period when the person is convicted of violation of the provisions in subsection (1). 1. This applies regardless of whether Udbetaling Danmark has previously made a decision on repayment of maternity allowance paid to the person for the same period.

49 b. A person is not entitled to unemployment benefit under this Act for a period of 3 years if the person, by final judgment, has found to have violated section 101 a, paragraph 1 of the Criminal Code. 1, § 114 c, subs. 3, §§ 114 d, 114 e or 114 g for circumstances committed abroad, section 114 j, paragraph 1 of the Criminal Code. 1, or an exit ban laid down pursuant to section 2 b, subsection (1). 1, in the Act on Passports to Danish Citizens, etc. and the person for the period covered by the judgment has received one of the following services:

1) Daily allowance under this Act.
2) Sickness benefit from the municipality according to the Act on sickness benefits.
3) Pension under the Social Pension Act.
4) Pension under the law on highest, middle, elevated ordinary and ordinary early retirement pension, etc.
5) Unemployment benefits, holiday allowances or early retirement benefits under the Unemployment Insurance Act, etc.
6) Flexibility according to the Act on Flex Benefit.
7) Integration benefit, education aid, cash benefit, rehabilitation benefit, resource flow benefit in resource course, resource flow benefit in job clarification or unemployment benefit under the Active Social Policy Act.
8) Flexible pay subsidies pursuant to section 70 f or grants for self-employment according to section 70 give the Act on active employment efforts.
9) State Education Support (SU) according to the SU Act.
10) The National Adult Education Support (SVU) according to the Act on the State's Adult Education Support.

PCS. 2. The period in paragraph 1 1 is counted from the time when the person is released after serving unconditional imprisonment as a result of a judgment, cf. 1. If the person is not detained in the period between a judgment, cf. 1, and the reconciliation, this period is included in the period after paragraph 1. 1. If the person is only sentenced to fines or conditional imprisonment, the period shall be counted in subsection (1). 1 from the time of the final judgment, cf. First

PCS. 3. Payments Denmark must decide that a person who has received daily subsistence benefits under this Act, which the person was not entitled to under subsection (1). 1, must pay the unemployment benefit back.

§ 49 c A person is not entitled to unemployment benefit under this Act for a period of 3 years, if the person is finally sentenced to unconditional imprisonment or other criminal proceedings of a detention nature for an offense covered by section 81 a of the Criminal Code.

PCS. 2. The period in paragraph 1 1 shall be counted from the time when the person has been sentenced to imprisonment or other criminal proceedings of detention, cf. First

PCS. 3. Payments Denmark must decide that a person who has received daily subsistence benefits under this Act, which the person was not entitled to under subsection (1). 1, must pay the unemployment benefit back.

50. Claims for benefits under this Act may not be the subject of any extradition or other legal proceedings, unless three months have elapsed from the day on which the benefit could be claimed. Agreements for such claims are invalid.

51 .- (1) The payment of maternity allowance shall cease for a person who, after a court decision or administrative decision, is detained. If during the deprivation of liberty work is carried out on the ordinary labor market with permission from the Prison and Probation Service, there is, however, the right to maternity allowance according to the general rules.

PCS. 2. The Prison and Probation Service must notify Payments Denmark if a recipient of a maternity allowance is subjected to sentence punishment or other detention measures, including remand detention.

§ 52. The maternity allowance payment ceases for a person who deliberately evokes criminal prosecution in this country in cases where

1) the person is in custody,

2) the police are seeking the person concerned for the purpose of pre-trial detention or

3) there is a pre-trial detention order.

PCS. 2. The unemployment benefit shall also cease for a person who deliberately evokes criminal conviction in this country if the person is sentenced to an unconditional sentence or other criminal case involving or allowing detention.

PCS. 3. When the police or the Prison and Probation Service assumes that a person deliberately evading criminal prosecution, cf. 1, or enforcement, cf. 2, while receiving maternity benefits, Payout Denmark must be informed of the evasion.

§ 53. A criminal prosecution is followed, cf. 1, not by conviction, Payments Denmark pays maternity allowance for the period during which the person was detained or evaded criminal prosecution. However, the daily allowance is not paid to the deceased's resident if the person dies at death before a judgment has been given in the case.

Section 53 a. The payment of maternity allowance shall cease if the police decide on withdrawal of the person's passport pursuant to section 2 (2). 1, no. 4, of the Act on Passports to Danish Citizens, etc., because there is reason to suppose that the person abroad participates in activities where this may imply or increase a danger to the state's security or the security of other states or a substantial threat to public order.

PCS. 2. If a decision on the withdrawal of passports is reversed pursuant to section 2 (2). 1, no. 4, of the Act on Passports to Danish Citizens, etc., or is repealed during a subsequent judicial review, Payments Denmark pays maternity allowance for the period during which no maternity allowance has been paid while the person's passport was withdrawn, cf. 1, if the other conditions for payment of maternity benefits were met during the period.

§ 53 b. The police must notify Payments Denmark if the police decide on withdrawal of passports pursuant to section 2 (2). 1, no. 4, of the Act on Passports to Danish Citizens etc. vis-à-vis a person who is abroad and which the police are presumed to receive at the same time receive maternity benefits. The police must also notify Udbetaling Danmark if this decision is later reversed or canceled.

PCS. 2. The Public Prosecutor's Office shall notify Udbetaling Danmark if the prosecution authority is presumed that a person who, by final judgment, has found to have violated section 101a (1) of the Criminal Code. 1, § 114 c, subs. 3, §§ 114 d, 114 e or 114 g for circumstances committed abroad, section 114 j, paragraph 1 of the Criminal Code. 1, or an exit ban laid down pursuant to section 2 b, subsection (1). 1, in the Act on Passports to Danish Citizens etc., receives or has received maternity allowance.

Chapter 13

complaint Rules

§ 54. Payment Denmark's decisions on the right to maternity allowance may be appealed to the National Board of Appeal, cf. section 64 a of the Act on Legal Protection and Administration in the Social Area.

PCS. 2. Employees who exercise their right to absence according to Chapter 4 are covered by the protection provisions in the Act on equal treatment for men and women with regard to employment, etc.

Chapter 14

Entry into force and transitional provisions

55. The Act shall enter into force on 3 July 2006.

PCS. 2. § 11, § 12, subs. 1, §§ 13, 14, 15, 16, 16 a, 17, 18, 19 and 19 a of the Act on sickness or maternity benefits, cf. Consolidated Act no. 1047 of 28 October 2004, is repealed, cf. , PCS. Third

§§ 56-59. (Optional)

60. The Act does not apply to the Faroe Islands and Greenland.

Act No. 1336 of 19 December 2008 [3)] (Consequential changes as a result of the Act on the Recovery of Debt to the Government) contains the following entry into force:

§ 167

PCS. 1. The Act shall enter into force on 1 January 2009, cf. 2. Section 11 shall only apply to decisions on wage-keeping that are made after the Act enters into force.

PCS. 2. (Excluded)

Act No. 494 of June 12, 2009 [4)] (Adoption without consent, child adoption of registered partner's child from birth, etc.) contains the following entry into force:

§ 6

PCS. 1. The Act shall enter into force on 1 October 2009, cf. 2nd

PCS. 2. Section 1, no. 1, § 1, subsection 1 of the Act. 2 and 3 of the Adoption Act as written in § 1, no. 2, § 4, third sentence of this Act, in the Adoption Act as drafted by section 1, no. 3, § 8, subsection 3 of this Act. 5, in the Adoption Act as drafted by § 1, no. 4, § 8 a of this Act as adopted by section 1, no. 8, § 12, subs. 2, § 13, subs. 1, § 14, subs. 2, 3rd sentence, § 15, subs. 7, § 23, subs. 1, and § 25, subs. Paragraph 1 of the Act on the Right to Leave and Periodic Allowance for Childbirth (maternity leave) as drafted or amended by section 4 of this Act, comes into force on 1 July 2009.

Act No. 247 of March 23, 2010 [5)] (Changing the rules on extending the sickness benefit period, sickness benefit to self-employed and abolishing provisions for payment to Special Pension Savings (SP) etc.) contains the following entry into force and transitional provisions:

§ 5

PCS. 1. The Act shall enter into force on 1 April 2010, cf. 2 and 3

PCS. 2. The cancellation of section 67 of the Act on sickness benefits, section 47 of the Act on the Right to Leave and Allowance for Maternity, § 80 a of the Act on Active Social Policy and section 85 e of the Act on Unemployment Insurance etc., which is made by section 1, no. , § 2, no. 2, § 3, no. 3, and § 4 enter into force on 1 May 2010.

PCS. 3. (Excluded)

§ 6

PCS. 1-2. (Optional)

PCS. 3. Section 65, subs. 1 of the Act on sickness benefits as drafted by section 1, no. 10, section 44 (1) of this Act. Paragraph 1 of the Act on the Right to Leave and Subsistence on Maternity (maternity leave) as drafted by section 2, no. 1, and section 79 (1) of this Act. 1, of the Act on Active Social Policy, as drafted by section 3 (2) of this Act, has an effect on contributions due for payment on 1 May 2010 or later

Act no. 429 of 28 April 2010 [6] (The competence to decide on the law applicable etc. under EC Regulation No 883/04 on the coordination of social security schemes, etc.) contains the following entry into force and transitional provisions:

§ 20

PCS. 1. The Act enters into force on 1 May 2010.

PCS. 2. (Excluded)

PCS. 3. References to Regulation (EEC) No 1408/71 shall remain in force and the application of this Regulation shall be maintained in relation to each EEA country and Switzerland as long as each EEA country or Switzerland has not subscribed to Regulation (EC)) No 883/04.

Act No. 154 of February 28, 2012 [7] (Simplification of efforts for recipients of sickness and maternity benefits, agreement on entitlement to sickness benefit from the first day of absence for self-employed persons in the event of long-term or chronic illness, etc.) contains the following entry into force:

§ 3

The Act enters into force on 5 March 2012.

Act No. 326 of April 11, 2012 [8] (Distribution of regulatory responsibility between the municipalities and Payments Denmark etc.) contains the following entry into force and transitional provisions:

§ 25

PCS. 1. The Act enters into force on 1 October 2012, cf. 2-4.

PCS. 2. (Excluded)

PCS. 3. Section 7 (1) of the Act and sections 13, 14 and 16 shall enter into force on 1 December 2012.

PCS. 4. (Excluded)

§ 26

PCS. 1-5. (Optional)

PCS. 6. Requirements that the municipality may have against the citizen, or claims that the citizen may have against a municipality pursuant to sections 1-5, 9 and 13 of the Act at the entry into force of the Act for the respective case areas, will be transferred to Payout Denmark. Claims for which the municipality has commenced collection of repayment claims, however, remain in the municipality, unless the claim is collected by set-off or deducted from a benefit which, after the Act's entry into force for the respective case areas, is paid out by Payout Denmark, or in cases where Payout Denmark takes a new one. decision relating to the same claim.

PCS. 7-10. (Optional)

§ 27

PCS. 1. Following the entry into force of the Act, the responsibility for storing archives and keeping the archival considerations in the case of Payments Denmark is the responsibility of:

1) The municipal council in completed and passive cases in matters of jurisdiction, where the authority responsibility according to sections 1-5, 13 and 24 of the Act is transferred to Payout Denmark, and closed and passive cases pursuant to section 9 of the Act, where the municipal council has made a decision pursuant to the Act on a Child and child benefit.
2) The local council in cases where payment is still made in areas of jurisdiction which, pursuant to sections 1-5, 13 and 24 of the Act, must be transferred to Payments Denmark, and where the municipal council has decided to grant a benefit prior to the time when the case transfers to Udbetaling Danmark, and cases pursuant to section 9 of the Act, where the municipal council has made a decision pursuant to the Act on a Child and Youth Benefit, cf.
3) Disbursement Denmark in cases pursuant to sections 4 and 9 of the Act, where the local council has made a decision to fulfill international obligations and where payment is still made.
4) Payout Denmark in all other cases in case areas where the authority responsibility under sections 1-5, 9, 13 and 24 of the Act is transferred to Payout Denmark and which are not covered by no. 1 or 2.

PCS. 2. At the request of Udbetaling Danmark, the municipality must send a copy of the requested documents from cases which, in accordance with subsection (1), cf. 1, no. 1 or 2, is stored in the municipality. In connection with requests for a copy of the documents from Udbetaling Danmark, the municipality has the right to review and sort a case, which the

municipality holds for Udbetaling Danmark, with a view to being able to meet the payment of Denmark's request. The municipality also has the right to review and sort a case that the municipality holds for Paying Denmark, if the case contains information relating to the municipality's case area, and if the municipality has a factual need for the information.

PCS. 3. The Minister of Social Affairs and Integration may, on the recommendation of the Supervisory Board of Payments Denmark, lay down rules that Payments Denmark from 2015 shall pay a fee to the municipality in order to perform the task in accordance with subsection (1). 2, 1st sentence, and rules on phasing out the municipalities' obligation to file with Payments Denmark from 2018.

Act No. 928 of September 18, 2012 [9)] (Amended regulation of various income transfers in the years 2016-2023 and increase of the supplementary pension benefit and pension supplement to old-age pensioners) contains the following entry into force:

§ 9

The Act enters into force on 1 January 2013.

PCS. 2-3. (Optional)

Act No. 1380 of December 23, 2012 [10)] (Reform of early retirement pension and flex jobs, including the introduction of resource courses, rehabilitation teams, flexible wage subsidies, etc.) contain the following entry into force:

§ 21

The Act enters into force on 1 January 2013, cf. 2-6 and 8.

PCS. 2-8. (Optional)

Act No. 357 of April 9, 2013 [11)] (Digital communication on grant schemes, etc.) contains the following entry into force:

§ 5

The Act enters into force on 15 April 2013.

Act No. 652 of June 12, 2013 [12)] (Co-motherhood, etc.) contains the following entry into force:

§ 8

The Act enters into force on 1 December 2013, cf.

Act no. 1610 of 26 December 2013 [13)] (Temporary labor allowance, the effort for recipients of temporary labor market benefits, safeguarding the right to sickness and maternity benefits, targeting of Danish education programs, etc.) contains the following entry into force and transitional provisions:

§ 14

PCS. 1. The Act enters into force on 30 December 2013, cf. 2nd

PCS. 2. Section 2 shall enter into force on 1 January 2014.

PCS. 3. (Excluded)

Act No. 1486 of December 23, 2014 [14)] (Reform of the employment initiative, a joint and intensified contact process, education lift, strengthened availability and targeting of business-oriented offers, etc.) contains the following entry into force:

§ 9

PCS. 1. The Act enters into force on 29 December 2014, cf. 2-5.

PCS. 2. § 1, no. 2, 6, 13, 17, 20, 23, 24, 34, 37 and 39, the heading before § 33b and section 33b of the Act on an Active Employment Effort as written by section 1, no. 40, § 1, nos. 42, 47-65, 68-70, 74, 75 and 79-97, § 122 b of the Act on an active employment initiative as drafted by section 1, no. 99-101, § 2, no. 2 of the Act on Unemployment Insurance etc., as

drafted by § 2, no. 4, § 2, no. 9, 19 and 22, § 3, no. 1-7, 11-14, 18, 19 and 21-24 of the Act , § 5, no. 1, § 6 and section 7 enter into force on 1 January 2015.

PCS. 3. § 1, no. 66 and 67, § 2, no. 7, § 3, no. 15-17, and § 4, no. 1, shall enter into force on 5 January 2015.

PCS. 4. § 1, no. 1, 3-5 and 8-11, § 16 a, paragraph. 1-6, and section 16 (b) of the Act on an Active Employment Effect as drafted by section 1, no. 12, § 1, no. 14-16, 18, 19, 21, 22, 25-33, 35, 36 and 36 of this Act 38, the heading before § 33 a and § 33 a of the Act on an active employment effort as drafted by § 1, no. 40, § 1, no. 41, 43-46, 71-73 and 76-78, § 122 ai of this Act Act on an active employment initiative as drafted by § 1, no. 98, § 1, no. 102, § 2, no. 2 and 3, § 52 h, subsection 2 of this Act. 3, in the Act on Unemployment Insurance etc. as drafted by § 2, no. 4, § 2, no. 8, 13-17 and 23, § 3, no. 8, 9 and 10, § 4, no. 3, and § 5, no. 2 and 3, will enter into force on 1 July 2015.

PCS. 5. The Minister of Employment shall determine the date of entry into force of § 1, no. 7, § 16 a, subsection (1). 7 and 8, of the Act on an Active Employment Effect as drafted by section 1, no. 4, of the Act on Unemployment Insurance etc. as drafted by section 2, no. 4 and § 2, no. 10-12 of this Act.

Act No. 624 of June 8, 2016 [15)] (Flexible and income-based unemployment benefit system, monthly payment of unemployment benefits, etc.) contains the following entry into force provisions:

§ 14

PCS. 1. The Act shall enter into force on 2 January 2017, cf. 2-4.

PCS. 2. § 1, no. 4-10, 14-16, 18, 19, 21-28, 30-33, 37, 38, 41-43, 50, 52-56, 62-65, 67-69, 71 , 73-75, 77-84, 86, 87, 90, 91, 95, 98-103 and 109-112, and Section 13 comes into force on 1 July 2017.

PCS. 3. Sections 55 a, 56 a and 56 b of the Act on Unemployment Insurance etc. as inserted by section 1, no. 49 of this Act, shall enter into force on 1 July 2017.

PCS. 4. The Minister of Employment shall determine the date of entry into force of § 1, no. 57, 70, 93, 97 and 104.

§ 15

PCS. 1-9. (Optional)

PCS. 10. § 5, no. 1-4, and § 6, no. 1-4, do not apply to persons with first day sickness or maternity leave on January 1, 2017 or earlier.

PCS. 11. Section 10 has effect on reports to the income register concerning January 2017 and later.

§ 16

PCS. 1-10. (Optional)

PCS. 11. For persons with a first day of sickness or maternity leave on January 1, 2017 or earlier, the payment of sickness benefit from the municipality or maternity allowance from Payments Denmark is made until the end of the current absence period with the rate that follows from the rules in force up to now in § 51, subsection . 1 and 2, of the Act on sickness benefits or the current rules in section 36, subsection 1. 1 and 2 in the maternity leave. The rate may be changed in accordance with the rules laid down by the Minister of Employment pursuant to section 51 (1). 4, of the Act on sickness benefits as drafted by § 5, no. 4 of this Act, or section 36 (1). 4, in the Maternity Act as drafted by § 6, no. 4 of this Act.

Act No. 1413 of November 30, 2016 [16)] (Clarifications of job reform phase I and the consequence of the employer's right to reimbursement in the event of late notification of pregnancy-related sickness absence, etc.) include the following entry into force:

§ 3

PCS. 1. The Act shall enter into force on 1 December 2016 and shall take effect on 1 October 2016, cf. 2 and 3.

PCS. 2. Section 2 of the Act enters into force on 1 January 2017 and applies to the employer's notification of an employee's pregnancy-related sickness absence, which commences on 1 January 2017 or later.

PCS. 3. However, for the household members under the age of 18 years mentioned in section 1, no. 14, who receive assistance pursuant to sections 22-24 of the Act on Active Social Policy, the Act will only have effect from 1 December 2016.

Act No. 288 of March 29, 2017 [17)] (Digitization of the maternity leave's employment requirements and calculation, possibility of more flexible holding of paternity leave, fixing of redress in cases of sickness insurance, conversion of monthly unemployment benefits to affected weeks, etc.) contains the following entry into force provisions:

§ 5

PCS. 1. The Act shall enter into force on 1 April 2017, cf. 2-5.

PCS. 2. § 1, no. 10-12 and 16, and § 4, no. 1, shall enter into force on 1 July 2017.

PCS. 3. Section 1, Nos. 1 and 2, shall enter into force on 1 January 2018.

PCS. 4. § 1, no. 3-9 and 13, and § 2, no. 2, shall enter into force on 1 July 2018.

PCS. 5. The Minister of Employment shall determine the date of entry into force of § 4, no.

§ 6

PCS. 1. (Excluded)

PCS. 2. § 1, no. 3-9, does not apply to persons who commence a period of absence before 1 July 2018. For persons who have started an absence period before 1 July 2018, the applicable rules so far apply.

PCS. 3. Section 1, no. 13, does not apply to persons who start an absence period before 1 July 2018. For persons who have started an absence period before 1 July 2018, the unemployment benefit is calculated according to the rules in force so far. Any recalculation on July 1, 2018 or later is assessed and made in accordance with § 1, no.

PCS. 4. Section 3 (1) does not apply to decisions made by Payments Denmark before April 1, 2017. For these decisions, the rules in force so far apply.

Act No. 674 of June 8, 2017 [18)] (Blocking of websites and stopping of public services for foreign warriors) contains the following entry into force:

§ 17

PCS. 1. The Act enters into force the day after the Order in the Law Gazette.

PCS. 2. Sections 2-16 of the Act do not apply to decisions on the withdrawal of passports that have been taken before the Act came into force, and judgments relating to matters committed before the Act came into force.

PCS. 3. Rules laid down pursuant to section 39 (2). 10, in the Act on State Education Support (the Swedish National Insurance Act), cf. Consolidated Act No. 39 of 15 January 2014 with subsequent amendments, remains in force until they are repealed or replaced by new rules.

Act No. 288 of March 29, 2017 [19)] (Digitization of maternity leave's employment requirements and calculation, possibility of more flexible holding of paternity leave, fixing of redress in sickness insurance cases, conversion of monthly unemployment benefits to affected weeks, etc.) contains the following entry into force provisions:

§ 5

PCS. 1. The Act shall enter into force on 1 April 2017, cf. 2-5.

PCS. 2. § 1, no. 10-12 and 16, and § 4, no. 1, shall enter into force on 1 July 2017.

PCS. 3. Section 1, Nos. 1 and 2, shall enter into force on 1 January 2018.

PCS. 4. § 1, no. 3-9 and 13, and § 2, no. 2, shall enter into force on 1 July 2018.

PCS. 5. (Excluded)

§ 6

PCS. 1. (Excluded)

PCS. 2. § 1, no. 3-9, does not apply to persons who commence a period of absence before 1 July 2018. For persons who have started an absence period before 1 July 2018, the applicable rules so far apply.

PCS. 3. Section 1, no. 13, does not apply to persons who start an absence period before 1 July 2018. For persons who have started an absence period before 1 July 2018, the unemployment benefit is calculated according to the rules in force so far. Any recalculation on July 1, 2018 or later is assessed and made in accordance with § 1, no.

PCS. 4. (Excluded)

§ 7

The Act does not apply to the Faroe Islands and Greenland.

Act No. 1669 of 26 December 2017 [20)] (Model parameters for vocational education and training for use in calculating workplace-dependent employer contributions, introduction of set-off access, change of complaint process, etc.) contain the

following entry into force provisions:

§ 12

PCS. 1. The Act enters into force on 1 January 2018.

PCS. 2. The Act does not apply to complaints filed prior to the entry into force of the Act to the Appeals Board set up pursuant to section 28 of the Danish Labor Market Supplementary Pension Act. For such complaints, the existing rules apply.

§ 13

The Act does not apply to the Faroe Islands and Greenland, but section 10 of the Act may, by royal decree, be fully or partially put into effect for Greenland with the changes that the Greenlandic conditions require.

Act No. 59 of January 30, 2018 [21] (Right of absence to fathers and mothers, if the child is stillborn, dies or is adopted before the 32nd week after birth, and the right of absence to both adopters if the child dies before the 32nd week after receipt of the child) includes the following entry into force:

§ 2

PCS. 1. The Act enters into force on 1 February 2018.

PCS. 2. The law applies to fathers and mothers of a child who, on February 1, 2018 or later, is stillbirth, dies or is adopted before the 32nd week after birth.

PCS. 3. The law applies to adoption-seeking parents of an adopted child who dies on February 1, 2018 or later before the 32nd week after receipt of the child.

Act No. 701 of June 8, 2018 [22] (Consequential changes to the benefit legislation as a result of the introduction of concurrent holiday in the holiday law, compensation of private employers by the introduction of concurrent holiday etc.) contain the following entry into force provision:

§ 9

PCS. 1. The Act shall enter into force on 1 July 2018, cf. 2-4.

PCS. 2. § 1, no. 1-4, § 2, nos. 1 and 2, and sections 5-7 shall enter into force on 1 January 2019.

PCS. 3. § 1, no. 6, § 2, no. 3, § 3 and section 4, no. 5, shall enter into force on 1 January 2020.

PCS. 4. (Excluded)

Act No. 1526 of 18 December 2018 [23] (Quarantine scheme in the services system for band criminals, etc.) contains the following entry into force:

§ 12

PCS. 1. The Act enters into force on 1 January 2019.

PCS. 2. The Act does not apply to judgments pursuant to section 81a of the Criminal Code, which concern matters committed before the entry into force of the Act.

PCS. 3-4. (Optional)

Act No. 1710 of 27 December 2018 [24] (Residence requirement for entitlement to unemployment benefits etc.) contains the following entry into force:

§ 4

The Act enters into force on 1 January 2019.

Ministry of Employment, January 25, 2019

Troels Lund Poulsen

/ Kirsten Brix Pedersen

Official notes

[1)] The law contains provisions implementing Articles 8 and 9 of Council Directive 92/85 / EEC of 19 October 1992 on the introduction of measures to improve the safety and health of workers at work in the same field. born or breastfeeding. Furthermore, the Act contains provisions that implement section 2 (2). Paragraph 1 of the Framework Agreement on Parental Leave concluded by UNICE, CEEP and ETUC, to be implemented under Council Directive 96/34 / EC of 3 June 1996.

2) The amendment to the law concerns section 45 ([1)] of the Act. 9-16.

3) The amendment to the law concerns section 49 ([1)] of the Act. 4th

4) The amendment to the law concerns section 8 ([1)] of the Act. 8, § 12, subs. 2, § 13, subs. 1, 4th paragraph, § 14 paragraph. 2, § 15, subs. 7, § 23, subs. 1, and § 25, subs. 1

5) The amendment to the law concerns section 44 (1 [)] of the Act. 1 and 47.

6) The amendment to the law concerns section 3 ([1)] of the Act. 1, § 4, subs. 3, and § 5.

7) The statutory amendment concerns section 20 ([1)] of the Act. 2 and 39.

8) The amendment to the Act concerns sections 19-21, §§ 26-28, § 30, § 31, § 39, § 40, §§ 42-45, section 48, section 49 and sections 51-54 of the Act.

9) The amendment to the law concerns sections 38 and 38 a of the Act.

10) The amendment to the law concerns section 27 ([1)] of the Act. 1, no. 3–5, § 28, subs. 3, section 34 and section 39 (3). 4th

11) The legislative amendment concerns a change everywhere in the law from the "SDPI solution" to "Nemrefusion".

12) The amendment to the law concerns section 7 ([1)] of the Act. 2 and 3, § 8, subs. 8, § 9, second sentence, § 12, subs. 2, § 13, subs. 1, § 14, subs. 2, 3rd sentence, § 15, subs. 3 and 7, § 23, subs. 1, and § 25, subs. First

13) The amendment to the law concerns section 27 ([1)] of the Act. 2 and 3, § 29, para. 2 and 36.

14) The amendment to the law concerns section 36 of the Act and the title of the Act.

15) The amendment to the law concerns section 36 ([1)] of the Act. 1-4.

16) The amendment to the law concerns section 39 ([1)] of the Act. 3 and 4.

17) The statutory amendment concerns section 30, section 42 and section 45 (1) of the Act. 3-15.

18) The amendment to the law concerns sections 49 a, 49 b, 53 a and 53 b of the Act.

19) The amendment to the law concerns section 7 (1 [)] of the Act. 3, 2 and 3, § 8, subs. 6, § 27, subs. 1, no. 1, § 27, subs. 2, § 27, subs. 2, no. 6-8, § 27, subs. 4, § 30, subs. 2, second sentence, § 30, subs. 8, and § 33, subs. 1 and 2.

20) The amendment to the law concerns section 45 ([1)] of the Act. 11, and § 45, subs. 14, 1st paragraph

21) The amendment to the law concerns section 13 (1 [)] of the Act. 1 and 2, § 15, subs. 6, § 30, subs. 4, second sentence, § 30, subs. 8, and § 31, subs. 2nd

22) The amendment to the law concerns sections 25 and 25a - 25d of the Act.

23) The amendment to the law concerns section 49 c of the Act.

24) The amendment to the law concerns section 48 a of the Act.