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EUROPEAN SOCIAL CHARTER

Addendum to the 27th National Report
on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF DENMARK

for the period from 1 January 2005 to 31 December 2006

on article 10§4

Report registered by the Secretariat on 3 April 2008

Article 10, section 4, question B, fees and financial assistance

Reply:

For students aged 18 and over who are enrolled in basic vocational education and training or in general upper secondary school education, financial assistance (grant and loan support) is awarded in accordance with the rules governing the provision of financial assistance for students enrolled in a general or vocational upper secondary education programme. The assistance is awarded until the education programme has been completed, although only as long as the student concerned participates actively in their studies, i.e. attends classes and takes exams. It is a prerequisite that students do not receive wages/salary in order to follow the programme.

The financial assistance takes the form of a monthly grant or a monthly student loan. In 2007, students who lived with their parents received a monthly grant of DKK 2,412 and a student loan of DKK 2,483. In 2007, students who had left home received a monthly grant of DKK 4,852 and a student loan of DKK 2,483.

For students aged 18 and 19, however, the grant is dependent on their parents' income. These students receive a basic grant of DKK 1,074 if they live at home and on special conditions a basic grant of DKK 3,111 if they live away from home. In addition, they are eligible for a grant supplement of maximum DKK 1,338 and DKK 1,741, respectively, depending on the parental income, and they are also eligible for a student loan of DKK 2,483.

Students enrolled in higher education are given 70 vouchers, corresponding to 70 months' worth of financial assistance. For students aged 18 and over, the financial assistance takes the form of a monthly grant and a monthly loan. In 2007, students who lived with their parents received a monthly grant of DKK 2,412 and a monthly loan of DKK 2,483. Students who had left home received a monthly grant of DKK 4,852 and a monthly loan of DKK 2,483 (depending on the parental income).

For all students who have received financial assistance within a calendar year, an earnings ceiling applies governing how much additional income they may have. If the earnings ceiling is exceeded, part of the excess grant and loan support must be repaid. The earnings ceiling varies according to whether the student concerned for the particular months has received grant and loan support (earnings ceiling = DKK 6,172 in 2007), has declined grant and loan support (earnings ceiling = DKK 15,415), or has been outside the education system (earnings ceiling = DKK 29,670). The annual earnings ceiling is calculated by adding together the earnings ceilings for the 12 months of the respective year.

Please indicate whether equal treatment in respect of financial assistance is ensured for nationals of all the Contracting Parties to the Charter lawfully resident or working regularly in your territory.

Reply:

Students who are not Danish nationals are eligible for support on the same terms as Danish nationals, provided they fulfil the following conditions:

1. Lawfully reside in Denmark and are subject to the Act on Integration of Aliens in Denmark.

In regard to point 1, please note that the Act on Integration of Aliens in Denmark applies to aliens who have been granted permanent residence or temporary residence with the possibility of being granted permanent residence in Denmark. "Aliens" are defined in the Act on Integration of Aliens in Denmark as refugees and immigrants who lawfully reside in Denmark. "Immigrants" are defined as aliens who have been reunited with a refugee family member and other aliens who have been reunited with a family member who is not a refugee. The Act does not apply to aliens that are nationals of Nordic countries, EU/EEA Member States, or fall within the special rules regarding visa exemption, etc.

2. Have resided in Denmark for an uninterrupted period of at least two years and have been married to a Danish national throughout the period.

3. Have resided in Denmark for an uninterrupted period of at least two years and have been in paid employment corresponding to at least 30 hours per week.

4. Have resided in Denmark for an uninterrupted period of at least five years and have not entered the country in order to undertake an education or training programme.

5. Have entered the country before reaching the age of 20 together with their parents with the intention of seeking permanent residence.

6. Are EU or EEA citizens and either employed or self-employed, or have close family ties to an EU or EEA citizen.

7. Are EU or EEA citizens or have close family ties to an EU or EEA citizen and have resided in Denmark for an uninterrupted period of at least five years.

8. Belong to the Danish minority in South Slesvig.

9. Fall within a special rule concerning Icelandic nationals who resided in Denmark before 1946.