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The Danish Act on Parental Responsibility

Part 1

Introductory provisions

1. In all matters falling within the scope of this Act, the best interests of the child and the child's right to wellbeing and protection from harm shall be a primary consideration.

1a. Children and young people under 18 years of age shall be under custody unless they are married.

2.-(1) The custody holder shall care for the child and may make decisions about the personal circumstances of the child based on the child's interests and needs.

(2) The child has the right to care and security. The child shall be treated with respect for their person and shall not be exposed to corporal punishment or other degrading treatment.

(3) Custodial parents may use the child's income to a reasonable extent for the child's maintenance and with due consideration for their own and the child's position.

3.-(1) If the parents have joint custody, significant decisions affecting the child shall be subject to agreement between the parents. The parent with whom the child resides can make decisions about general matters affecting the child's everyday life, including where in Denmark the child will have his or her place of residence. If the child has a shared place of residence under section 18a(1), first sentence, any decision about general matters affecting the child's everyday life as provided for in the second sentence hereof shall be subject to agreement between the parents.

(2) If the parents have joint custody but disagree about the custody, they shall both give their consent for the child to leave the country, including travels to Greenland or the Faroe Islands, or shall consent if the child's stay abroad, in Greenland or the Faroe Islands is extended beyond the agreed, presumed or specified duration, unless a decision has been made according to section 17(1), second sentence, or section 25.

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4. Decisions made pursuant to the Act shall be based on the child's best interests. The Agency of Family Law and the Family Court shall focus on measures to ensure that decisions contribute to safeguarding the wellbeing of the child and to protecting the child from acts of violence or other treatment that exposes the child to harm or danger, including witnessing violence.

4a. If a party has been sentenced to unconditional imprisonment or another legal order in pursuance of sections 68 - 70 of the Danish Criminal Code for incest in violation with section 210 of the Danish Criminal Code, for a sexual crime in violation of part 24 of the Danish Criminal Code, except for a violation of section 228, for manslaughter in violation of section 237 of the Danish Criminal Code, for committing an act of violence in violation of sections 245 and 246 of the Danish Criminal Code, for circumcision of women in violation of section 245 a of the Danish Criminal Code or human trafficking in violation of section 262 a of the Danish Criminal Code, the following decisions shall not be made unless it is in the best interests of the child:

- (i) That the party shall have sole or shared custody of the child under section 11, section 13(2), section 14, section 15(2) or (3) or section 15a or sections 26 to 28.
- (ii) That the child shall live with the party under section 17(1) or section 26.
- (iii) That the child shall have access or other forms of contact with the party under sections 20 to 21, 22, 29 or 29a.

(2) Where reasonable grounds exist for suspecting that a party has been sentenced to unconditional imprisonment or another legal order in pursuance of sections 68 - 70 of the Danish Criminal Code, for having committed an offence under subsection (1), the Agency of Family Law may obtain information thereon from the Central Criminal Records Office.

5. In all matters relating to the child, the child's views shall be taken into consideration depending on the child's age and maturity.

Part 2

Custody

Custody holders

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6.–(1) Where parents are married to each other at the time of the child's birth, or if they marry later, they have joint custody.

(2) Where parents are separated at the time of the child's birth, however, the mother has sole custody unless:

- (i) the separated husband or co-mother is found, by acknowledgement or a decision, to be the father or co-mother of the child; or
- (ii) the parents have submitted a declaration according to section 7(1)(i); but see section 7(2).

(3) If the parents have been married to each other within the ten months immediately preceding the birth of the child, they have joint custody.

7.–(1) Parents who are not married to each other have joint custody if

- (i) they, under section 2(1), section 3b(i), section 14(1), (3) or (6) or section 19 of the Danish Children's Act, see section 14(1), (3) or (6), have submitted a declaration stating that they will jointly care for and assume responsibility for the child;
- (ii) they have made an agreement on joint custody under section 9; or
- (iii) the man is registered as the father of the child under section 1a of the Children's Act.

(2) This shall not apply, however, if the declaration in subsection (1)(i) has been submitted without meeting the conditions of section 448g of the Danish Administration of Justice Act regarding the processing of cases of custody in Denmark.

(3) If a man is found to be the father, or a woman the co-mother, of the child by acknowledgment or a decision, the parents have joint custody if they are or have been living at the same address registered with the Danish National Registration Office within the ten months immediately preceding the birth of the child.

(4) In cases other than those mentioned in subsections (1) to (3), the mother has sole custody.

7a.–(1) Parents who have adopted a child together have joint custody.

(2) A parent who has adopted a child alone has sole custody, but see subsection (3).

(3) Parents have joint custody when one party has adopted the child of the other party under section 5a(1) of the Danish Adoption Act.

(4) Subsections (1) and (2) shall also apply to any applicant approved as an adopter who adopts a child from another country during the period from the child's arrival in Denmark until the Agency of Family Law has granted adoption under section 1 of the Adoption Act.

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(5) Subsections (1) and (2) shall also apply to any applicant approved as an adopter who has received a child for placement under section 32a of the Adoption Act for as long as the child is in temporary placement.

8. If parents have joint custody, such joint custody shall continue irrespective of whether they have ceased cohabitation or have separated or divorced or their marriage has been annulled.

9. Parents may agree to have joint custody. In order for the agreement to be valid, the Agency of Family Law shall be notified thereof. If a custody case has been brought before the court, notification may be made to the court.

10. Parents who have joint custody but do not live together may agree that one of them is to have sole custody. In order for the agreement to be valid, the Agency of Family Law shall be notified thereof. If a custody case has been brought before the court, notification may be made to the court.

10a. A custody agreement under section 9 or 10 shall not be valid if made before the birth of the child or if the agreement is conditional or for a fixed term.

11. If non-cohabiting parents with joint custody disagree about custody, it shall be decided whether joint custody shall continue or whether one of the parents shall be awarded sole custody. The joint custody shall only be terminated if there are grounds for assuming that the parents cannot cooperate on matters affecting the child in the child's best interests. Notwithstanding the foregoing, this shall not apply to cases falling within section 4a.

12. If an agreement is made under section 10 or a decision awarding sole custody to one of the parents is made under section 11, joint custody shall be reinstated if married parents, including separated parents, resume or continue cohabitation.

Transfer of custody

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13.–(1) Parents may agree to transfer custody from one parent to the other. In order for the agreement to be valid, the Agency of Family Law shall be notified thereof. If a custody case has been brought before the Family Court, notification may be made to the court.

(2) Custody may be transferred to persons other than the parents by an agreement approved by the Agency of Family Law or the Family Court. Custody may be transferred to a married or cohabiting couple jointly, including one parent and his or her spouse or cohabitant. Furthermore, a custody holder and one of the parents of the child may agree to have joint custody.

(3) An agreement under subsections (1) and (2) shall not be valid if made before the birth of the child or if the agreement is conditional or for a fixed term. Furthermore, an agreement within the meaning of subsection (2) shall not be valid if payment or other consideration for loss of earnings is accepted by the custody holder.

14.–(1) On application by a non-custodial parent, it may be decided to have joint custody or to transfer custody to the non-custodial parent.

(2) An agreement under section 13(2) and a decision under sections 15 and 15a may be changed.

Death

15.–(1) If a parent dies and the parents had joint custody at the time of the death, the surviving parent will have sole custody, but see subsection (2) and section 15a(1).

(2) If a parent dies and the parents had joint custody at the time of the death, any other person may apply to be awarded custody in connection with the death if the child's place of residence was not with the surviving parent at the time of the death.

(3) If a parent with sole custody dies, a decision shall be made as to who should be awarded custody. A surviving parent and any other person may apply for custody. If the parents have joint custody and both parents die, the first and second sentences hereof shall apply correspondingly.

(4) Section 13(2), second sentence, shall apply correspondingly to cases falling within subsections (2) and (3).

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15a.–(1) If one parent has caused the death of the other parent and if the parents had joint custody at the time of the death, or if the surviving parent had sole custody, a decision shall be made as to whether custody shall remain with the surviving parent or whether any other person shall be awarded custody.

(2) If one parent has caused the death of the other parent and the deceased parent had sole custody, section 15(3) shall apply correspondingly.

(3) Section 13(2), second sentence, shall apply correspondingly to cases falling within subsection (1).

16. Custody holders may designate to whom custody should be awarded after their death.

Part 3

The child's place of residence and advance notice of relocation

17.–(1) If parents have joint custody and disagree about which parent the child should reside with, a decision may be made to resolve the matter. This may include a decision that the child can live with a parent who resides, or wants to reside, abroad or in Greenland or the Faroe Islands.

(2) An agreement or decision regarding the child's place of residence under subsection (1) may be changed.

18. Any parent intending to change his or her place of residence or that of the child to another location in Denmark or abroad shall notify the other parent hereof no later than six weeks before the relocation.

18a.–(1) Parents with joint custody may agree that the child should have a shared place of residence, see section 3(1), third sentence. The agreement shall terminate when one parent notifies the other parent of the termination. Notwithstanding this, after the termination of the agreement, see section 3(1), third sentence, the child shall continue to have a shared place of residence until the parents have reached agreement on the child's place of residence or access rights or a decision has been made about the child's place of residence under section 17 or 26 or about access rights under sections 21, 29 or 29a, but see subsection (2).

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(2) Where a parent has terminated a shared residence agreement as a consequence of failure by the other parent to comply with conditions in the agreement concerning the geographical locations of the parents' places of residence, and if the agreement terminates within one month of the relocation of the other parent, the child shall live with the parent who has complied with the agreement.

(3) A shared residence agreement under subsection (1) may be registered with the Central Office of Civil Registrations (CPR Office) by submitting a notification of the agreement to the Agency of Family Law. The registration will be removed if a parent makes a notification thereof to the Agency of Family Law.

Part 4

Rights of access etc.

Access with parents

19.–(1) Efforts shall be made to maintain the child's connection with both parents by ensuring that the child has a right of access with the non-resident parent.

(2) The parents have joint responsibility for ensuring that the child has access with the non-resident parent and the transportation of the child to and from access.

(3) The non-resident parent may apply for access rights.

(4) If the non-resident parent has no or extremely limited access with the child, the resident parent may request the Agency of Family Law to summon the non-resident parent for a meeting about the access.

Access with persons others than parents

20.–(1) If one or both parents are dead or if a parent is unknown, rights of access may, on application, be granted to the child's closest relatives to whom the child is attached.

(2) If the child has no or extremely limited access with the non-resident parent, rights of access may, on application, be granted to the child's closest relatives to whom the child is attached.

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20a.–(1) If the child is adopted, it shall be possible, on application by the child’s original relatives, to grant rights of access or other forms of contact to such relatives, in particular if the child, prior to adoption, had access or other forms of contact with the person applying for a access or contact decision.

(2) Subsection (1) shall also apply where the child is in temporary placement under article 32a of the Adoption Act.

Access decisions

21.–(1) In the case of disagreement about the scope and exercise of access rights, a access decision may, on application, be made and the necessary provisions in this regard may be laid down, including passport surrender requirements and conditions to ensure that the parent is not under the influence of alcohol or drugs during access.

(2) Access rights shall be granted on the basis of an actual assessment of the specific circumstances of the child.

(3) The granting of access rights may be refused, and an agreement or decision regarding access may be changed or revoked.

21a. Granted or agreed access rights shall cease to apply only if so agreed by the parents, or if the Agency of Family Law or the Family Court has decided to terminate access rights under section 21 or in pursuance of section 456q(4) of the Administration of Justice Act.

Other forms of contact

22.–(1) In exceptional circumstances, it may be decided to grant other contact with the child in the form of telephone conversations, exchange of letters, electronic mail, photographs, etc.

(2) An application for other forms of contact may be made by

- (i) a parent with whom the child does not reside; or
- (ii) the child’s closest relatives, provided the conditions for granting access rights as set out in section 20 have been met.

(3) Section 21(1) and (3) shall apply correspondingly.

Information about the child etc.

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23.–(1) A non-custodial parent has the right to request information about the child from schools, children’s institutions and facilities, the social and healthcare system, private hospitals and private general practitioners and dentists. A non-custodial parent also has the right to receive documents about the child if such information is available in schools and children’s institutions and facilities. Confidential information about the custody holder shall not be disclosed.

(2) The institutions, facilities, etc. referred to in subsection (1) may refuse to disclose specific information or deliver documents about the child if such disclosure or delivery must be assumed to be detrimental to the child.

(3) In exceptional circumstances and on application by the custody holder or one of the institutions, facilities, etc. referred to in subsection (1), it may be decided to deprive the non-custodial parent of the right to receive information and obtain documents under subsection (1). The decision shall take effect from the date on which the institution, facility etc. is notified of the decision.

(4) The right to receive information and obtain documents under subsection (1) shall cease to apply where the child is in temporary placement under section 32a of the Adoption Act. This shall take effect from the date on which the institution etc. is notified that the child is in temporary placement under section 32a of the Adoption Act.

Access with children in out-of-home care

24. The provisions of this Act governing access and other forms of contact shall not apply if the child has been placed in out-of-home care in accordance with Part 11 of the Danish Act on Social Services. This also applies if the child or young person is staying in an institution or is hospitalised during the course of a child protection examination in accordance with Part 11 of the Act on Social Services.

Foreign travel decision

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25. Even if parents with joint custody disagree about the issue of custody, it may be decided that one of the parents is allowed to take the child abroad or to Greenland or the Faroe Islands for a short period of time.

Part 5

Temporary decisions

Custody and the child's place of residence

26.–(1) In a custody case, the authority processing the case may, on application, decide who should have temporary custody or which parent the child should reside with temporarily. In a case about the child's place of residence, the authority may, on application, decide which parent the child should reside with temporarily.

(2) A decision under subsection (1) shall apply until a final and enforceable agreement or decision has been made.

(3) A decision under subsection (1) shall cease to apply if the application for a decision about custody or the child's place of residence is withdrawn or rejected or if the parents resume cohabitation.

27.–(1) Where parents have joint custody and a risk exists that one of them will take the child out of the country and, thereby, pre-empt a decision about custody, the Danish Minister for Social Affairs and the Interior or any person authorised by the minister for that purpose may temporarily award sole custody to the other parent.

(2) A decision to award sole custody to a parent under subsection (1) shall apply until a final and enforceable agreement or decision about custody has been made, but see subsection 3.

(3) A decision to award sole custody to a parent under subsection (1) shall cease to apply:

- (i) four weeks after the date of the decision unless an application for a decision about custody has been submitted to the Agency of Family Law before then, see section 31;
- (ii) if a case falling within paragraph (i) is withdrawn or rejected after being submitted; or
- (iii) if the parents resume cohabitation.

28. If the custodial parent or both custodial parents are prevented from making decisions about the personal circumstances of the child, the Agency of Family Law shall decide who

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should be awarded custody during the period in which the parents are prevented from making decisions.

Access rights etc.

29.–(1) In a case about custody, the child’s place of residence, access rights or other forms of contact, it may be decided, on application, to grant temporary rights of access or other forms of contact.

(2) A decision pursuant to subsection (1) shall apply in a case about access rights until a final and enforceable decision about access, an agreement on access or a decision or agreement regarding other forms of contact has been made.

(3) A decision pursuant to subsection (1) in a case about custody or the child’s place of residence shall become final when a final and enforceable decision about custody or the child’s place of residence or an agreement on custody or the child’s place of residence has been made.

29a. If the child has no access with the parent who applies for access rights, the Agency of Family Law shall, as soon as possible and within three weeks of receiving an application for a access decision, make a temporary decision about contact-keeping access. Section 29(2) and (3) shall apply correspondingly.

Changes

30.–(1) A temporary decision made under sections 26 to 29 may be changed.

Part 6

Processing of the case

30a.–(1) In the processing of cases by the Agency of Family Law, the provisions of the Danish Agency of Family Law Act shall apply.

(2) Decisions pertaining to custody agreements and decisions in cases about custody, place of residence, access rights, other forms of contact, information about the child and foreign travel

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shall be made by the Agency of Family Law or the Family Court in accordance with the provisions of Parts 2 and 8 to 10 of the Agency of Family Law Act. Notwithstanding the foregoing, this shall not apply to decisions made under section 27.

Commencement of the case

31.–(1) Any notification of an agreement, any application for a decision, any application to refer a decision to the Family Court and any appeal under section 41(2) shall be submitted to the Agency of Family Law by use of the digital solution made available by the Agency of Family Law (digital self-service). Notwithstanding the foregoing, this shall not apply to applications submitted by a public authority nor to applications for a temporary decision under sections 26, 27, 29 and 29a. Notifications, applications and appeals not submitted by means of digital self-service shall be rejected by the Agency of Family Law, but see subsections (2) and (3).

(2) If the Agency of Family Law finds that the citizen, as a result of exceptional circumstances, cannot be expected to be able to use digital self-service, the Agency of Family Law shall allow the submission of the notification, application or appeal in a manner other than through digital self-service under subsection (1) above. The Agency of Family Law shall decide how a notification, application or appeal falling within the first sentence hereof is to be submitted, including whether it is to be submitted orally or in writing.

(3) In addition to the instances referred to in subsection (2), the Agency of Family Law may elect not to reject a notification, application or appeal not submitted by use of digital self-service if, on the basis of an overall economic assessment, the Agency of Family Law clearly benefits from receiving the notification, application or appeal in a non-digital format, or if it is assumed to be in the best interests of the child that the notification, application or appeal is not rejected.

(4) A digital notification, application or appeal is deemed to have been received when it is available to the Agency of Family Law.

31a.–(1) If receiving an application for a decision about custody under sections 11, 14, 15 and 15a, about the child's place of residence under section 17 and about access rights etc. under sections 19 to 21 and section 25, the Agency of Family Law shall call the parties for a

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meeting. The Agency of Family Law may elect not to call the parties for a meeting if it is unnecessary or inexpedient to hold a meeting.

(2) The parties shall be obliged to attend the meeting, unless very exceptional circumstances apply.

(3) A party shall not be obliged to attend the meeting with the other party where the other party has exposed the party or the party's child to violent or threatening behaviour or where such behaviour is suspected to have occurred.

Child welfare counselling and family mediation

32.—(1) The Agency of Family Law shall offer parents and children child welfare counselling or family mediation in cases of disagreement about custody, the child's place residence or access rights.

(2) In other cases, the Agency of Family Law may offer child welfare counselling or family mediation if a special need for such counselling or mediation exists.

(3) The Agency of Family Law may elect not to offer counselling or family mediation under subsection (1) if it is unnecessary or inexpedient.

32a. The Agency of Family Law shall offer child welfare counselling to parents where the Family Court, under section 456r(4) of the Administration of Justice Act, has stayed the enforcement of an order concerning custody, the child's place of residence or access rights. Counselling under the first sentence hereof shall be completed before the date until which the Family Court has stayed the enforcement.

Child welfare assessments

33.—(1) The Agency of Family Law may initiate child welfare assessments and obtain expert statements on parents in cases about custody, the child's place of residence and access rights.

(2) If the Agency of Family Law has initiated a child welfare assessment or requested an expert statement on a parent, the assessment or statement shall be completed even if the case is brought before the Family Court.

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Consultation of the child

34.–(1) The child shall be consulted in a case about custody, the child’s place of residence or access rights so as to ensure that the child’s perspective and, if applicable, views are duly taken into account. Information about the child’s perspective may be gained through personal interviews, child welfare assessments or other ways that shed light on the child’s point of view.

(2) The obligation to involve the child directly in the case does not apply if it must be assumed to be detrimental to the child, or if it may be considered unnecessary in the circumstances of the case.

The child’s right to contact the Agency of Family Law

35. A child who has reached the age of 10 may request the Agency of Family Law to summon the parents for a meeting about custody, the child’s place of residence or access rights.

Declaration from the parents in certain cases

36.–(1) Before a custody agreement under section 13(2) is approved or a custody decision under section 15(3) or section 15a(2) is made, a declaration shall be obtained from the non-custodial parent.

(2) Before a decision about access rights under section 20(2) is made, a declaration shall be obtained from the parent who has no or extremely limited access with the child.

(3) Obtaining a declaration under subsections (1) or (2) may be omitted if it must be assumed to be detrimental to the child or to delay the case disproportionately.

37. (Repealed)

Obtaining financial information

38. For the purpose of processing cases about parents’ joint responsibility for the transportation of the child in connection with access, including the parents’ payment of costs

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related thereto, the Agency of Family Law may, under this Act, gain access to view online any necessary financial information about a party with the Danish Customs and Tax Administration, including in the income registry.

Rejection of applications for changes

39. An application for a change of custody, the child's place of residence, rights of access or other forms of contact may be rejected if circumstances have not changed significantly. Notwithstanding the foregoing, this shall not apply to applications for a change of custody under section 14(2).

40. (Repealed)

Judicial review and appeal

41.–(1) Any decision of the Agency of Family Law under this Act may be referred to the Family Court in accordance with the provisions of Part 12 of the Agency of Family Law Act. **(2)** The non-custodial parent can appeal a decision under section 23(2) to the Agency of Family Law. This right of appeal shall not apply to decisions made by the healthcare system, however.

41a. In cases falling within section 24 of the Agency of Family Law Act, the Family Court shall make a decision under sections 11, 14, 17 and 21 at the request of the Agency of Family Law.

Powers

42. The Minister for Social Affairs and the Interior may lay down rules

- (i) on the processing of cases about custody, the child's place of residence, access, etc.;
- (ii) on parents' joint responsibility for the transportation of the child in connection with access, including the parents' payment of the costs related thereto;
- (iii) on substitute access,

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- (iv) on supervised access;
- (v) on the notification of custody agreements;
- (vi) on child welfare counselling, child welfare assessments, expert statements on parents and family mediation; and
- (vii) on the processing of appeals.

Part 7

Work agreements

43. If a child or young person who is under custody, see section 1a, with the permission of the custody holder, has independently undertaken to provide a service or perform other personal work and, thereby, acquires the means of subsistence necessary for his own maintenance, the young person in question, if aged 15 or over, may personally terminate the agreement and undertake work of a similar nature, unless the custody holder decides otherwise.

44. Any agreement a child or young person has independently entered into to provide a service or perform other personal work may be terminated by the custody holder if necessary in the interests of the upbringing or welfare of the child or young person. In such case, however, the agreement shall, to the extent possible, be terminated subject to an appropriate period of notice and, where it is deemed reasonable, appropriate compensation may be granted to the other party.

Part 8

International agreements and international jurisdiction

45.–(1) The Danish Government may conclude agreements with other States concerning the relationship between the rules of Danish law and the rules of foreign law governing custody, place of residence, rights of access and other forms of contact. Such agreements shall apply in the territory of Denmark after being advertised in the Danish Law Gazette (“Lovtidende”).

(2) The Minister for Social Affairs and the Interior may also lay down rules on the relationship between the rules of Denmark and the rules of other Nordic countries governing custody, the child’s place of residence, rights of access and other forms of contact.

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(3) The Minister for Social Affairs and the Interior may lay down rules on the processing of cases under this Act which fall within the scope of the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (the Hague Child Protection Convention).

46. The Agency of Family Law may process a case about custody, the child's place of residence, access rights, etc. if the conditions of section 448f of the Administration of Justice Act have been met.

(2) Removed

Part 9

Commencement etc.

47.—(1) This Act shall come into force on 1 October 2007.

(2) The Act on Parental Responsibility and Access, cf. Act No. 39 of 15 January 2007, shall be repealed.

48. Section 6(2)(i), section 6(3) and section 7(3) of the Act shall apply only to children born on or after 1 October 2007.

49. This Act shall not extend to the Faroe Islands and Greenland except that all or any of the provisions hereof may be brought into force by Royal Decree for the Faroe Islands and Greenland subject to any variations in its operation necessitated by the specific conditions prevailing in the Faroe Islands and Greenland, respectively.

Act No. 494 of 12 June 2009 (Adoption without consent, stepchild adoption of registered civil partner's child from birth, etc.) contains the following commencement and transitional provisions:

6.

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(1) This Act shall come into force on 1 October 2009, but see subsection (2).

(2) (Omitted)

7.

(1) (Omitted)

(2) (Omitted)

(3) Section 20a of the Act on Parental Responsibility, as set out in section 3 of this Act, shall only apply to adoption completed after the commencement of the Act.

(4) (Omitted)

Act No. 270 of 25 March 2015 (Measures to counter obstruction of cooperation etc.) contains the following commencement and transitional provisions:

3.

(1) This Act shall come into force on 1 October 2015.

(2) Section 1, paragraphs (ii) and (iii), shall not apply to temporary access decisions made prior to the commencement of the Act. Such decisions shall be subject to the then applicable provision of section 29(2) of the Act on Parental Responsibility.

(3)-(5) (Omitted)

Act No. 530 of 29 April 2015 (Relaxation of conditions for adoption without consent etc.) contains the following commencement and transitional provisions:

5.

(1) This Act shall come into force on 1 October 2015.

(2) Section 3 shall not apply to adoption completed prior to the commencement of the Act.

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Act No. 1711 of 27 December 2018 (Amendments arising from the Agency of Family Law Act and a tighter focus on the protection of the child in cases under the Act on Parental Responsibility) contains the following commencement and transitional provisions:

Commencement

40.

(1) This Act shall come into force on 1 April 2019, but see subsections (2) to (4).

(2)-(5) (Omitted)

Transitional provisions

41.

(1)-(2) (Omitted)

(3) Sections 37, 39(2) and 46(2) of the Act on Parental Responsibility, cf. Consolidation Act No. 1417 of 1 December 2017, and section 43a(2) of the Formation and Dissolution of Marriage Act, cf. Consolidation Act No. 54 of 23 January 2018, shall apply to decisions made by the State Administration prior to the commencement of the Act.

(4) Section 17(3) of the Act on Parental Responsibility, as set out in section 1(xvi) of this Act, shall not apply where the parents have ceased cohabitation prior to the commencement of the Act.

(5) (Omitted)

(6) The Family Court may only allow an appeal against a decision made by the State Administration prior to the commencement of the Act pursuant to section 41(5), first sentence, of the Act on Parental Responsibility, cf. Consolidation Act No. 1417 of 1 December 2017, if the Family Court deems the case to be of fundamental or general public importance.

(7)-(9) (Omitted)

42.

(Omitted)

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation. Only the Danish document has legal validity.

43.

(Omitted)