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questionnaire on the rights of older persons with disabilities

By e-mail of February 6, 2019, the Special Rapporteur on the rights of persons with disabilities has requested information regarding the rights of older persons with disabilities in Denmark. The Danish Institute for Human Rights has the following comments:

In general, no Danish legislation exists which is specifically directed towards older persons with disabilities. However, Denmark is a welfare state with a universal health care system where a broad spectrum of different services and social protection schemes exist. Older persons with disabilities will thus often benefit from services that are not specifically directed towards them, but a broader group. The following statement will describe parts of Danish legislation that have an impact on and relevance for older persons with disabilities.

1. ***Please provide information on the legislative and policy framework in place in your country to ensure the realization of the rights of older persons with disabilities, including both persons with disabilities who are ageing and older persons who acquire a disability later in life.***

The Danish anti-discrimination acts ensure equal treatment for older persons with disabilities. The Act on Prohibition of Discrimination on the Labour Market etc. is based on EU directive 2000/78/EC that establishes a general framework for equal treatment within employment and occupation.[[1]](#footnote-1) The act implies that an individual cannot be discriminated against on the grounds of age nor disability within the field of employment. For instance, an employee who is above the retirement age cannot, as a main rule, be dismissed on the grounds of age, nor can an older person with a disability be dismissed on the grounds of disability, unless the reasonable accommodation applicable represents a disproportionate burden to the employer.[[2]](#footnote-2)

On 1 July 2018, an Act on a Ban against Discrimination on the Grounds of Disability entered into force.[[3]](#footnote-3) The act provides a general ban on discrimination on the grounds of disability outside the field of employment. However, the act does not include an obligation to provide reasonable accommodation nor accessibility.[[4]](#footnote-4) Similar to the remedies available under the Act on the Prohibition of Discrimination on the Labour Market etc., the 2018 act entails an access to having a case regarding discrimination on the grounds of disability heard by the Danish Board of Equal Treatment.[[5]](#footnote-5) Seeing that the act is relatively new the Board of Equal Treatment has not given any verdicts yet regarding this new piece of legislation. So far, the Danish anti-discrimination legislation does not encompass a ban on discrimination on the grounds of age outside the labour market.

In addition to the anti-discrimination acts, the Danish Act on Social Services provides several provisions, granted on the basis of an assessment of individual needs, through which persons with disabilities can manage everyday life on their own. The Act on Social Services regulates social services such as personal assistance, care, accommodation facilities, transportation, etc.[[6]](#footnote-6) In Denmark, elderly care is a local government responsibility entrusted to the 98 municipalities. The extended self-rule principle for local government in Denmark means that the municipalities decide on the specific methods and service levels they wish to apply within the framework of the Act on Social Services.

1. ***Please provide information on discrimination against older persons with disabilities in law and practice.***

As mentioned above jurisprudence from the Board on Equal Treatment regarding the Act on a Ban against Discrimination on the Grounds of Disability is yet to come.

With regard to the ban on discrimination on the grounds of disability within the field of employment, a judgement from the Maritime and Commercial High Court from June 2018 can be mentioned. The case concerned the dismissal of an employee with a disability in a subsidized job by the time he turned 65 years, which is the current retirement age in Denmark. The employee argued, among other things, that the dismissal was discriminatory on the grounds of age and disability and thus in contradiction with the Danish Act on Prohibition of Discrimination on the Labour Market etc. The court ruled that the dismissal had been grounded on the fact that the job would no longer be subsidised when the employee turned 65 years. However, the court stated that this was a legitimate reason to dismiss an employee. Thus, the court found that the employee had not been subject to discrimination on the grounds of neither age nor disability. [[7]](#footnote-7) On 13 July 2018, the employee appealed the ruling of the Maritime and Commercial High Court to the Danish Supreme Court. On 17 September 2018, the Supreme Court allowed the appeal, as the case was principle and carried significance for the broader society. The Supreme Court has not heard the case yet.

1. ***Please provide information and statistical data (including surveys, censuses, administrative data, literature, reports, and studies) related to the realization of the rights of older persons with disabilities in general, as well as with particular focus in the following areas:***
2. *Exercise of legal capacity;*

Danish legislation provides various forms of support measures to persons in need of assistance in order to exercise their legal capacity. The Danish Guardianship Act allows for support in the form of traditional financial and/or personal guardianship, cf. Section 5, as well as for the less intrusive co-guardianship, cf. Section 7. The most comprehensive form of guardianship is the court-imposed guardianship under Section 6.

Co-guardianship in accordance with Section 7 of the Guardianship Act means that the person under guardianship must take decisions in consultation with another person, i.e. the co-guardian. A co-guardian may be appointed if a person needs assistance to manage his or her assets or take care of financial affairs due to lack of experience, impaired health or similar problems. This person must him-/herself request a co-guardian. Nobody can be forced into a co-guardianship.[[8]](#footnote-8)

A person is placed under financial and/or personal guardianship in accordance with Section 5 of the Guardianship Act if the person requests for or needs a guardian due to a weakened state, e.g. mental illness, severe dementia, or another type of impairment that makes the person unable to look after his or her personal and/or financial affairs. The guardian is a legal representative and can enter into legally binding agreements on behalf of the person under guardianship. However, the person under guardianship is not deprived of his or her legal capacity.[[9]](#footnote-9)

Section 6 of the Guardianship Act provides the deprivation of legal capacity. A person is placed under guardianship in accordance with Section 6 if he or she is under full financial guardianship in accordance with Section 5 but still enters into legally binding agreements that are detrimental to the person. The objective of guardianship in accordance with Section 6 is thus to prevent the person in question from exposing his or her assets, income or other economic interests to substantial deterioration. Deprivation of legal capacity pursuant to Section 6 can only concern financial issues. In other words, guardianship in accordance with Section 6 does not entail the loss of legal capacity to act in personal matters.[[10]](#footnote-10)

Certain legal safeguards are provided by the Guardianship Act, such as the principle to use the least invasive type of guardianship possible, cf. Section 8-9, the possibility to cancel a guardianship if the conditions are no longer met, cf. Section 10, and access to judicial review upon a request to change, cancel or initiate a guardianship in accordance with Section 6, cf. section 16 and 17.[[11]](#footnote-11)

In 2018, Section 6 of the Danish Guardianship Act was amended. The amendment entailed that since January 1, 2019, deprivation of legal capacity can be limited to specific assets or matters, as opposed to the former situation where persons could only either retain their legal capacity or be fully deprived of it. As a result, persons who are partially legally incapacitated can now vote for parliamentary elections in Denmark as well as have greater autonomy within their private economic matters.[[12]](#footnote-12)

Before the amendment of the Guardianship Act, it was estimated that around 1.900 persons over the age of 18 were legally incapacitated in accordance with Section 6.[[13]](#footnote-13) It is unknown how many of the 1,900 persons being older persons with a disability. Furthermore, it is not yet known how many of the 1,900 persons will remain fully legally incapacitated, nor how many of those being older persons with disabilities.

1. *Admission procedures to social or healthcare services, including involuntary admissions;*

Access to healthcare services is mainly regulated by the Danish Health Act. Seeing that Denmark has a universal health care system, admission to hospital is free of charge and merely bases itself on a medical assessment on whether admission is needed for the person concerned. Admission to a hospital can take place either urgently via ambulance or planned via a letter on admission from the hospital.

As regards admission to social services, Section 108 of the Act on Social Services prescribes that visitation to long-term social accommodation facilities is provided by the municipal council to persons who, due to substantial and permanent impairment of physical or mental function, need extensive assistance for general day-to-day functions or care, attendance or treatment, where such needs cannot be addressed in any other way.[[14]](#footnote-14)

Furthermore, in accordance with Section 192a of the Act on Social Services the municipal council shall offer elderly persons in special need of accommodation in a nursing home or in a non-profit care home, such accommodation no later than two months after admission to a waiting list.[[15]](#footnote-15) According to Section 105 of the Danish Act on Social Housing the municipal council shall, to the extent necessary, provide social housing for the elderly, which can be let out to older persons and persons with disabilities with a particular need for such housing.[[16]](#footnote-16)

Under Danish law, it is possible to involuntarily admit persons to both the somatic and psychiatric health care system, as well as to the long-term accommodation facilities mentioned above.

The Danish Act on the Use of Coercive Measures in Somatic Health Care on Persons Lacking the Capacity to Consent provides for involuntary treatment and admission to somatic wards of persons with somatic disorders, targeting patients with psychosocial disabilities who resist treatment, and who are considered incapable of giving informed consent.[[17]](#footnote-17)

In addition, according to the Danish Mental Health Act it is possible to admit involuntarily a person to a psychiatric ward, when the person does not give his or her informed consent, cf. Section 5-9. In accordance with Section 5, the involuntary admission of a person to a psychiatric ward can only take place if the person concerned is insane or in a condition that is equated with this. Moreover, it must be irresponsible not to detain the person concerned for treatment either because the prospect of healing or a significant and decisive improvement of the condition otherwise would be significantly impaired or because the person in question presents a nearby and significant danger to him- or herself or others.[[18]](#footnote-18)

In accordance with Section 129 of the Danish Act on Social Services, a person objecting to removal or lacking the capacity to give informed consent thereto can be involuntarily admitted to a specific accommodation facility, where (i) it is absolutely required in order to ensure that the person in question receives the necessary assistance, (ii) the assistance cannot be provided in the person’s existing home, (iii) the person in question cannot understand the consequences of his/her actions, (iv) the person in question risks exposing himself/herself to substantial personal injury, and (v) it would be irresponsible not to arrange for the person to move.[[19]](#footnote-19)

The use of involuntary admission and the use of forcible measures in that connection implies certain legal safeguards. For instance, the principle to use the least restrictive forcible measure possible and access to (judicial) review of decisions.

1. *Older persons with disabilities living in institutions;*

The first version of the Act on Social Services was passed in 1998. With it, the concept of “institution” was abolished, and housing offers and the need for care and/or personal support in everyday life were separated from each other. [[20]](#footnote-20) Therefore, the current Act on Social Services provides for assisted living facilities, not institutions, which is distinguished from offers of care services and/or personal support for persons with disabilities.

In 2016, a survey was conducted among elderly people who receive either care in their own home or in a nursing facility. The survey shows that the number of persons over 65 years in Denmark is approximately 1.074.000. In 2016, the number of places in care facilities for older persons was 45.700, and the number of residents was approximately 40.800.[[21]](#footnote-21)

1. *Access to support to live independently in the community;*

The Act on Social Services contain several provisions which, among others, aims to support older persons with disabilities to live independently in the community. For instance, Section 83 prescribes that the municipal council shall offer (i) personal care and assistance, (ii) assistance or support for necessary practical activities in the home and (iii) meals services. The assistance mentioned is offered to persons who are unable to carry out the said activities due to temporary or permanent impairment of physical or mental function or special social problems. [[22]](#footnote-22)

1. *Access to free and affordable healthcare;*

As mentioned above, Denmark has a tax-funded state-run universal healthcare system for all citizens. Thus, most healthcare such as doctors’ visits, hospitalizations, tests, treatment, and follow-up care are fully covered and accessible to all citizens. Some health services such as medication and dental treatment are not free of charge. However, it is possible to be granted a subsidy.[[23]](#footnote-23)

1. *Access to free or affordable rehabilitation goods and services;*

In accordance with Section 83(a) of the Act on Social Services the municipal council shall offer a brief and time-limited rehabilitation programme to persons with functional impairment, if the rehabilitation programme is assessed to be able to improve the person's functional impairment and thus reduce the need for assistance under Section 83 of the Act (mentioned above under question 3.d). Such assessment shall be individual and specific and based on the recipient's resources and needs.[[24]](#footnote-24)

In accordance with Section 140 of the Danish Health Act, the municipal council also offers rehabilitation measures to remedy the impairment of physical function free of charge to persons who, after discharge from the hospital, have a medical need for rehabilitation.[[25]](#footnote-25)

Furthermore, Section 86 of the Act on Social Services provides that the municipal council shall offer rehabilitation measures to remedy the impairment of physical function caused by a disease which is not treated in connection with hospitalisation. The municipal council shall also provide assistance in maintaining physical or mental skills to persons who need such assistance due to impaired physical or mental function.[[26]](#footnote-26)

1. *Access to social protection schemes; and*

A number of social protection schemes are available in Denmark. One is especially relevant to older persons both with and without disabilities, namely public old-age pension. Public old-age pension consists of a set amount of money and pension supplements, which is paid to persons who have reached the retirement age.[[27]](#footnote-27) The Act on Social Pension provides for the opportunity to be granted, among others, personal and/or health subsidies.[[28]](#footnote-28)

1. *End of life and palliative care.*

In accordance with Section 119 of the Act on Social Services, upon application, a person caring for a closely connected person who wishes to die in his/her own home is entitled to constant care allowance.[[29]](#footnote-29)

Furthermore, Section 23 of the Danish Health Act provides that if a patient has undoubtedly initiated a hunger strike and the patient is informed of the health consequences of the hunger strike, a healthcare professional must not interrupt it. Moreover, Section 25 of the Health Act prescribes that if an irreversibly dying patient is no longer able to exercise his or her right to self-determination, a healthcare professional may refrain to begin or continue a life-prolonging treatment. In addition, an irreversibly dying patient may receive the pain-relieving or sedative medication necessary to alleviate the condition of the patient although this may accelerate the time of death. Lastly, in accordance with Section 26 of the Health Act, any person over the age of 18, who is not already under a personal guardianship that includes health conditions, may express in an advance directive his or her wishes in respect of life-prolonging treatment. Such an advance directive may specify that (i) no life-prolonging treatment is desired in a situation where the testator is irreversibly dying, and (ii) no life-prolonging treatment is desired in case of illness, advanced impairment due to age, accident, cardiac arrest or the like, which has caused so severe impairment that the testator will permanently be unable to take care of himself physically and mentally.[[30]](#footnote-30)

1. ***Please provide information on the existence of long-term care services in your country and describe to what extent they promote the autonomy and independence of older persons with disabilities.***

Part 16 of the Act on Social Services contains several provisions that provide different types of long-term care services. For instance, Section 83 (as mentioned above under question 3.d) provides that the municipal council shall offer (i) personal care and assistance, (ii) assistance or support for necessary practical activities in the home and (iii) meals services. Furthermore, Section 85 of the Social Service Act provides assistance, care or support as well as exercise and help in developing skills to persons with special needs due to substantial impairment of physical or mental function or special social problems.[[31]](#footnote-31)

As a main rule, long-term care services in accordance with the Act on Social Services should not intervene in the autonomy or self-determination of older persons with disabilities. However, it is possible to use forcible measures in a situation, where a person with a significant and permanently reduced mental function receives personal assistance, care and attendance pursuant to Section 83-87 of the Act on Social Services.[[32]](#footnote-32) Forcible measures can be use of alarm systems, restraint, detention in the home, use of fabric braces and admission to special accommodation facilities without consent.[[33]](#footnote-33) These forcible measures are guarded by legal safeguards, such as the access to legal assistance, access to complaint, access to judicial review following the decision on a complaint and the principle to use the least restrictive forcible measure possible.[[34]](#footnote-34)

1. ***Please describe how is access to justice guaranteed for older persons with disabilities. Please provide information on jurisprudence, complaints or investigations in relation to violence, abuse and neglect against older persons with disabilities.***

The Danish judicial system is regulated by the Act on Administration of Justice. The act does not contain specific provisions directed toward older persons with disabilities and their access to justice. However, it does take into consideration persons with disabilities in general.

For example in terms of witnesses, the Act on Administration of Justice provides for the police or the prosecutor to inform the court if there is a need for special consideration when a witness has to meet in court in a criminal case.[[35]](#footnote-35) Furthermore, in both civil and criminal cases negotiations with or questioning of a deaf or hearing-impaired person should as far as possible, be done by means of a trained interpreter and, in case of negotiations with or questioning of a mute person, through written questions and answers or, upon request, as far as possible, by using an interpreter. Deaf, hearing-impaired or mute persons also have the opportunity to be assisted by a consultant specialized in their disability.[[36]](#footnote-36) The Court can decide whether witnesses should be able to use technical aids during questioning.[[37]](#footnote-37)

In Denmark, all citizens, including older persons with disabilities, have access to free legal counselling provided by various legal aid organisations placed around the country. Furthermore, it is possible to apply for legal aid or assistance covered by public funds.[[38]](#footnote-38)

1. ***Please describe to what extent and how are older persons with disabilities involved in the design, planning, implementation and evaluation of policies related to ageing and/or disability.***

Older persons in Denmark have a general civil society organisation that represents their interests named DaneAge Association.[[39]](#footnote-39) Furthermore, there is a Danish umbrella organisation called Disabled People’s Organisations Denmark (DPOD) that includes a wide range of disability organisations representing the interests of persons with disabilities, including older persons with disabilities. These civil society organisations can on their own initiative or upon request comment on upcoming legislation when a bill is up for public consultation.

Furthermore, the Danish parliamentary committees have the possibility to hold hearings on subjects that interest them, and civil society organisations can also request for a hearing before a parliamentary committee.

In order to promote citizen involvement, all the Danish municipalities have Senior Citizens’ Councils as well as Disability Councils. The Senior Citizens’ Councils are elected for four-year terms, and all citizens over the age of 60 have the right to vote or run for the council. The municipality must consult the Senior Citizens’ Council in any issue relevant to the elderly population in the municipality. The Disability Councils consists of members from the disability civil society organisations in the municipality appointed by the DPOD and members appointed by the municipal council. As with the Senior Citizens’ Councils, the Disability Councils counsel the municipalities on questions regarding disability.

1. ***Please provide information on any innovative initiatives that have been taken at the local, regional or national level to promote and ensure the rights of older persons with disabilities and identify lessons learned from these.***

Unfortunately, the Danish Institute for Human Rights has not been able to find relevant information relating to this question.

1. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation. Available in English here: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=DA>. [↑](#footnote-ref-1)
2. Consolidation Act no. 1001 of 24. August 2017 on the Prohibition of Discrimination on the Labour Market, etc., Section 1, 2 and 2a. Available in only in Danish at: <https://www.retsinformation.dk/Forms/r0710.aspx?id=179869>. [↑](#footnote-ref-2)
3. Act no. 688 of 8 June 2018 on a Ban against Discrimination on the Grounds of Disability, Section 13. Available only in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=201823>. [↑](#footnote-ref-3)
4. Preparatory works for bill no. 221 of 8 June 2018, regarding a Ban against Discrimination on the Grounds of Disability, p. 7. Available only in Danish at: <http://www.folketingstidende.dk/RIpdf/samling/20171/lovforslag/L221/20171_L221_som_fremsat.pdf>. [↑](#footnote-ref-4)
5. Denmark, Act no. 688 of 8 June 2018 on a Ban against Discrimination on the Grounds of Disability, Section 14. Available only in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=201823>. [↑](#footnote-ref-5)
6. Consolidation Act no. 1114 of 30. August 2018 on Social Services, part 16-19 and 20-21. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-6)
7. Denmark, Maritime and Commercial High Court, case F-5-17. Available only in Danish at: <http://domstol.fe1.tangora.com/media/-300011/files/F000500B__anonymisering.pdf> [↑](#footnote-ref-7)
8. Consolidation Act no. 1015 of 20. August 2007 on Guardianship, Section 7. Available only in Danish at: <https://www.retsinformation.dk/forms/r0710.aspx?id=2681>. [↑](#footnote-ref-8)
9. Consolidation Act no. 1015 of 20. August 2007 on Guardianship, Section 5. Available only in Danish at: <https://www.retsinformation.dk/forms/r0710.aspx?id=2681>. [↑](#footnote-ref-9)
10. Consolidation Act no. 1015 of 20. August 2007 on Guardianship, Section 6. Available only in Danish at: <https://www.retsinformation.dk/forms/r0710.aspx?id=2681>. [↑](#footnote-ref-10)
11. Consolidation Act no. 1015 of 20. August 2007 on Guardianship, Section 8-10 and 16-17. Available only in Danish at: <https://www.retsinformation.dk/forms/r0710.aspx?id=2681>. [↑](#footnote-ref-11)
12. Bill no. 113 of 20 November 2018 on amending the Act on Guardianship, the Act on Elections for Parliament, the Act on Registration and the Civil Registration System Act, § 1, no. 1 and p. 7-8. Available only in Danish at: <https://www.ft.dk/ripdf/samling/20181/lovforslag/l113/20181_l113_som_fremsat.pdf>. [↑](#footnote-ref-12)
13. Bill no. 113 of 20 November 2018 on amending the Act on Guardianship, the Act on Elections for Parliament, the Act on Registration and the Civil Registration System Act, p. 6. Available only in Danish at: <https://www.ft.dk/ripdf/samling/20181/lovforslag/l113/20181_l113_som_fremsat.pdf>. [↑](#footnote-ref-13)
14. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 108, available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-14)
15. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 192(a) Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-15)
16. Consolidation Act no. 119 of 1. February 2019 on Social Housing, Section 105. Available only in Danish here: [hfttps://www.retsinformation.dk/Forms/R0710.aspx?id=206725](https://www.retsinformation.dk/Forms/R0710.aspx?id=206725). [↑](#footnote-ref-16)
17. Consolidation Act no. 126 of 27. January 2019 on the Use of Coercive Measures in Somatic Health Care on Persons Lacking the Capacity to Consent, Section 4-5 and 10. Available only in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=206925>. [↑](#footnote-ref-17)
18. Consolidation Act no. 1160 of 29. September 2015 on Mental Health, Section 5-9. Available only in Danish at: <https://www.retsinformation.dk/forms/r0710.aspx?id=174248>. [↑](#footnote-ref-18)
19. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 129. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-19)
20. Bill no. 229 of 16. April 1997 on an Act on Social Services. Available only in Danish at: <https://www.retsinformation.dk/eli/ft/199612K00229>. [↑](#footnote-ref-20)
21. Ministry of Health, *National Survey on the Conditions in Nursing homes* (*‘National Undersøgelse af Forholdene på Plejecentre’*), March 2016*,* p. 21. Available only in Danish at: <https://sum.dk/~/media/Filer%20-%20Publikationer_i_pdf/2016/National-undersoegelse-af-forholdene-paa-plejec/Undersoegelse-af-forholdene-paa-plejecentre.pdf>). [↑](#footnote-ref-21)
22. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 83. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-22)
23. Consolidation Act no. 1286 of 2. November 2018 on Health, Section 143-157(a). Available only in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=203757>. Consolidation Act no. 1208 of 17. November 2017 on Social Pension, Section 14-14(d). Available only in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=194457#P14a>. Before an older person with a disability reaches the age of public old-age pension it is possible to receive payment of necessary extra costs in accordance with Section 100 of the Act on Social Services: Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 100. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-23)
24. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 83(a). Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-24)
25. Consolidation Act no. 1286 of 2. November 2018 on Health, Section 140. Available only in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=203757>. [↑](#footnote-ref-25)
26. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 86. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-26)
27. Consolidation Act no. 1208 of 17. November 2017 on Social Pension, Section 12. Available only in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=194457#P14a>. [↑](#footnote-ref-27)
28. Consolidation Act no. 1208 of 17. November 2017 on Social Pension, Section 14-14(d). Available only in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=194457#P14a>. [↑](#footnote-ref-28)
29. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 119. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-29)
30. Consolidation Act no. 1286 of 2. November 2018 on Health, Section 23 and 25-26. Available only in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=203757>. [↑](#footnote-ref-30)
31. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 83 and 85. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-31)
32. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 124(a). Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-32)
33. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 125-128. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-33)
34. Consolidation Act no. 1114 of 30. August 2018 on Social Services, Section 124 and 132-135. Available in Danish at: <https://www.retsinformation.dk/forms/R0710.aspx?id=202239>. Available in English at: <http://english.sm.dk/media/14900/consolidation-act-on-social-services.pdf>. Please note that the translated consolidation act is from 2015, and the latest Danish consolidation act is from 2018. [↑](#footnote-ref-34)
35. Consolidation Act no. 1069 of 06. November 2008 on Administration of Justice, Section 193, available in Danish at: <https://www.retsinformation.dk/Forms/r0710.aspx?id=202196>. [↑](#footnote-ref-35)
36. Consolidation Act no. 1069 of 06. November 2008 on Administration of Justice, Section 149(5-7), available in Danish at: <https://www.retsinformation.dk/Forms/r0710.aspx?id=202196>. [↑](#footnote-ref-36)
37. Ibid, Section 184(3). [↑](#footnote-ref-37)
38. Consolidation Act no. 1069 of 06. November 2008 on Administration of Justice, section 325-333, available in Danish at: <https://www.retsinformation.dk/Forms/r0710.aspx?id=202196>. [↑](#footnote-ref-38)
39. Read more about the DaneAge Association (in Danish: *Ældresagen*) here: <https://www.aeldresagen.dk/om-aeldresagen/aeldresagen/in-english>. [↑](#footnote-ref-39)