

# Application for state compensation

## to victims and families of victims having suffered personal injury due to violent crimes

Exempt from public disclosure when completed

To be sent to The Norwegian Criminal Injuries Compensation Authority  
Postboks 253, 9951 Vardø  
Prior to filling in the form, you should read pages 3 and 4.

<b>1.1 Personal information about the applicant</b>		
Applicant's name		National identity number (11 digits)
Street address	Postcode and city	
Applicant's e-mail address	Phone	Mobile phone
Applicant's occupation	Employer	Taxation municipality
<b>1.2 Personal information in matters concerning survivor's compensation</b>		
Decedent's name		Decedent's identity number (11 digits)
Last mailing address		Date of death
Decedent's relation to applicant, including dependencies		
Is compensation sought from several persons in the same matter? <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>2. Does this application concern children who have experienced violence</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is more than one person seeking compensation in the same matter? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Remarks, comments to the application if it concerns children who have experienced violence against someone close to them		
<b>3. The criminal act</b>		
Place (where did the injury occur?)		Date of injury
Injurer's name		
Street address		
Brief description of the criminal act		
<b>4. Police report</b>		
Has the criminal act been reported to the police?  <input type="checkbox"/> Yes <input type="checkbox"/> No	Reported to the following police district	Date of report
	Report number	
If the criminal act has not yet been reported to the police, please describe, briefly, the reason why		
<b>5. Describe the injury sustained (enclose medical reports, etc., and a medical expense specification)</b>		
Type of injury		

6. National insurance benefits granted to injured party or survivors due to this injury			
The applicant has received the following national insurance benefits			
<input type="checkbox"/> Sickness benefits	<input type="checkbox"/> Rehabilitation allowance	<input type="checkbox"/> Vocational rehabilitation benefits	<input type="checkbox"/> Incapacity benefits
<input type="checkbox"/> Other – please specify			
<b>Enclose NAV decision</b>			
Have applications for national insurance benefits been submitted as a consequence of this injury – and if so, applications for which benefits?			
7. Insurance			
Which insurance policies does the applicant have?			
<input type="checkbox"/> Travel insurance	<input type="checkbox"/> Accident insurance	<input type="checkbox"/> Disability insurance	<input type="checkbox"/> Occupational insurance
<input type="checkbox"/> Other – please specify			<input type="checkbox"/> Home contents insurance
			Policy No.
Has the injury been reported to insurers?		<input type="checkbox"/> No	<input type="checkbox"/> Yes
Insurance company name:			
Insurance benefits have been awarded/paid, totalling NOK			<b>Enclose insurance company decision</b>
8. Compensation amounts paid by injurer or the Norwegian National Collection Agency (NCA)			
Amount claimed, NOK	Amount granted in court, NOK	Amount received, NOK	From NCA <input type="checkbox"/> From injurer <input type="checkbox"/>
If compensation has not been sought from the injurer, state the reason why			
9. Additional information if compensation for loss of income is sought			
Applicants (and survivors) must document loss of income. Copies of tax assessment(s) should be presented for the year in which the injury occurred, as well as at least two preceeding years.			
Tax assessments, or, if applicable, other documentation, have been enclosed for			
<input type="checkbox"/>	<input type="checkbox"/> The year after the injury occurred	<input type="checkbox"/> The year of the injury	<input type="checkbox"/> The year before the injury
<input type="checkbox"/>	<input type="checkbox"/> Two years prior to the injury		
10. Compensation amount			
10.1 Financial loss. State, specify, and document losses that are a consequence of the injury			
<input type="checkbox"/> Loss of income			Amount
<input type="checkbox"/> Loss of future income			Amount
<input type="checkbox"/> Loss of dependency			Amount
<input type="checkbox"/> Medical expenses (doctors, dentists, psychologists, etc.)			Amount
<input type="checkbox"/> Travel expenses associated with treatment			Amount
<input type="checkbox"/> Other – please specify			Amount
10.2 Damage to property			
<input type="checkbox"/> Clothing ruined as a consequence of the injury (document the loss if possible)			Amount
<input type="checkbox"/> Other personal items destroyed as a consequence of the injury (describe and document the loss)			Amount
10.3 Compensation for permanent injury. In applications for compensation for permanent injury, a specialist statement must be enclosed			
Compensation for permanent injury is sought <input type="checkbox"/>		Is a specialist statement available? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If applicable, comments or remarks to the application			
10.4 Damages for non-pecuniary loss. Damages for pain and suffering, as well as for other injury and loss of a non-pecuniary nature may be awarded. These damages are discretionarily awarded. Give a brief explanation for this application. Use a separate sheet of paper, if necessary.			
Damages for non-pecuniary losses are <input type="checkbox"/>			

**11. Additional information** – if necessary, an additional sheet of paper may be used

**12 Signature**

I hereby certify that the information contained herein is accurate and as comprehensive as possible.

I consent that the deciding authority may obtain statements from doctors, dentists, psychologists, etc., as well as from tax assessment offices, insurance companies, employers, county governors, etc., regarding my, and if applicable, the decedent's financial circumstances, as well as financial and medical information from the welfare system and NAV.

I consent that my claim against the injurer will be transferred to the state, in the extent the state pays compensation to me.

I consent that compensation for dentistry work, psychologist appointments, etc., may be paid to the person or institution providing my care, unless I present a receipt documenting that the amount was paid by me.

The application must be signed by the applicant.

\_\_\_\_\_

Account number

\_\_\_\_\_

Place and date

\_\_\_\_\_

Account owner

\_\_\_\_\_

Applicant's signature

**Instructions for filling out this form**

**Item 1**

Name and national identity number must always be provided. Mailing address, phone number, and, if applicable, e-mail address are useful information for later contact and correspondence. Once the application has been processed, the applicant will receive the decision at his or her mailing address, or, if applicable, at his or her attorney's office.

**Item 2**

In applications concerning children who have experienced violence against a person close to them, it is very important that a description of the case be enclosed. Also enclose any written confirmations and documentation that may exist in the case.

**Item 3**

In order to be able to identify the crime reported to the police, it is important that information provided under this item is as comprehensive as possible. If the description of the criminal act is included in other documents enclosed with the application, you need not repeat it here.

**Item 4**

Normally, the criminal act must be reported to the police in order for the injured party to be eligible for compensation. Prior to making a decision in regards to the application, all the police documents pertaining to the case are obtained. Fill in where and when the criminal act was reported to the police. All reported cases are given a report number. Include this report number on the application if you have it.

The report number may, inter alia, be found on the «Confirmation of crime reported», which the injured party shall receive from the police. If the matter has not been reported to the police, the Norwegian Criminal Injuries Compensation Authority asks that the reason why is provided.

**Item 5**

The scope and duration of the injury should be briefly described and documented by enclosing a statement from the doctor that treated you, the hospital, dentist, psychologist, etc.

**Items 6-7-8**

Financial benefits the applicant has been granted or is entitled to as a consequence of the injury, will be deducted from the compensation amount. If the applicant has had all or parts of his or her losses covered through insurance, he or she may have the loss deductible covered, if applicable. If the injurer has paid compensation to the applicant, the applicant must provide the amount, as well as the basis on which this compensation was paid, unless this was determined in a court of law.

**Item 10**

A specific amount must be stated for the financial losses for which compensation is sought. The claim for compensation must be documented. This documentation can take the form of receipts, pay slips from employers, etc. If the application includes a claim for compensation for permanent injury (Item 10.3), the applicant must provide a specialist statement determining the applicant's percentage of disability, discussing the expected duration of said criminal act. Compensation for permanent injury is not granted for degrees of disability below 15 percent. In determining the compensation amount (Item 10.4), the criminal act, the consequences this act has had for the applicant, and current precedent in similar cases are taken into account. When applying for compensation for permanent injury and damages for non-pecuniary loss, a claim amount is not required.

**Item 12**

As the signature on this form serves as a power of attorney, it is not sufficient that other parties, such as the applicant's attorney, sign the form on the applicant's behalf.

# State compensation for personal injury due to criminal acts

The Compensation for Victims of Violent Crime Act came into force on 1 July 2001, and applies to criminal acts committed after this date. Amendments to the Compensation for Victims of Violent Crime Act came into force on 1 January 2008. For cases where the criminal act was committed between 1 January 1975 and 1 July 2001, the regulations relating to compensation for victims of violent crime, with transitional provisions, shall apply. This form shall be used regardless of when the criminal act was committed. More information on compensation for victims of violent crime can be obtained from the Norwegian Criminal Injuries Compensation Authority, phone number 78 98 95 00, e-mail: [post@voldsoffererstatning.no](mailto:post@voldsoffererstatning.no) or [www.voldsoffererstatning.no](http://www.voldsoffererstatning.no). Applicants may also seek assistance from the Service for Victims of Crime, phone number 815 20 077, [www.kriminalitetsofre.no](http://www.kriminalitetsofre.no), or turn to the Support Hotline for Victims of Crime, phone number 800 40 008.

## 1. Who can seek compensation?

Individuals who sustain an injury as victims of a criminal act as specified in Items 2.1 and 2.2 may be awarded compensation from the state. Children, who have experienced violence against a person close to them after 1 January 2008, provided that their witnessing or experiencing this violence is or has been detrimental to their trust or sense of security, may also be entitled to compensation. If the injured party dies, the decedent's dependents are eligible for compensation. Other family members may also be eligible. The violent act must have taken place in Norway, on Svalbard, or onboard a Norwegian vessel, offshore rig, aircraft, or other facility established for research purposes or the extraction of natural resources on the Norwegian Continental Shelf. In special cases, compensation may be awarded for injuries sustained abroad, provided that the injured party was a resident of Norway at the time of injury.

## 2. When are you eligible for compensation?

### 2.1

For criminal acts committed in the period between 1 January 1975 and 1 January 2008, compensation may be awarded to individuals who have suffered personal injury as a consequence of intentional bodily harm or another criminal act involving elements of violence or coercion.

### 2.2

For criminal acts committed after 1 January 2008, compensation may be awarded to individuals who have suffered personal injury as a consequence of criminal acts that threaten or infringe upon life, health, or liberty. The term personal injury covers both physical and psychological injury. Compensation may be awarded even when the injuring party is unknown, dead, under the age of 15, or unfit to stand trial, or when the limits of self-defence have been exceeded, which is exculpatory pursuant to Section 48, Subsection 4 of the Penal Code. Compensation may be awarded even when the case is dropped, or the injuring party is acquitted in criminal proceedings. The applicant must be able to strongly substantiate that he or she has been the victim of a violent crime. The claim for compensation must be submitted to the Norwegian Criminal Injuries Compensation Authority within three years of the time the violent act was committed. However, it is still considered sufficient that the claim be made before the statutory period of limitation of the injuring party's criminal liability, if applicable, expires pursuant to the provisions of the Penal Code, or the injured party turns 21 years old. The period of limitation is interrupted by submitting a claim to the Norwegian Criminal Injuries Compensation Authority. The regulations relating to compensation for victims of violent crime has no formal period of limitation. If the applicant is in some way culpable for, or has contributed to, the injury, the compensation amount may be reduced, or compensation may be denied entirely. No compensation is awarded under the provisions of the Compensation for Victims of Violent Crime Act for injuries covered by the provisions of the Automobile Liability Act or the Patient Injury Act.

## 3. What is compensated?

### 3.1 Financial losses

Compensation for personal losses shall cover the loss already suffered, as well as any future losses, such as loss of income, medical expenses (user charges) and travel expenses. The compensation scheme also covers damage to regular clothes and personal effects (glasses, watch, and mobile phone) the injured party had on his or her person at the time of the injury. Stolen items and cash are not covered by the compensation scheme. Deductions will be made for compensation and benefits the applicant stands to receive/is entitled to from other sources, such as national insurance and pension benefits, insurance payments, and damages paid by the injuring party.

### 3.2 Compensation for permanent injury

The applicant shall be entitled to compensation for permanent injury whenever he or she has suffered permanent and significant medical injuries, and the degree of disability is 15 percent or higher. The applicant must provide a specialist statement, determining the degree of disability, duration of disability, and the causal link between the disability and the criminal act.

### 3.3 Damages for non-pecuniary loss

The injured party may be awarded damages in the form of a lump sum as compensation for «pain and suffering».

### 3.4 Survivors

In the case involving deaths prior to the amendments of 1 January 2008, the decedent's spouse/domestic partner, parents, and children are entitled to damages for non-pecuniary loss. Compensation may be awarded to cover funeral expenses and loss of dependency. Siblings are not entitled to compensation. In cases involving deaths after the amendments of 1 January 2008, the decedent's spouse/domestic partner, parents, and children are entitled to compensation for personal injuries, pursuant to provisions in Section 4 of the Act. Siblings may, in special cases, be awarded compensation and damages.

Losses that do not exceed NOK 1000 will not be compensated. The maximum amount payable as compensation for each injury is twenty times the National Insurance basic amount at the time the compensation was awarded. The Government has proposed to increase this maximum limit to 40 times the National Insurance basic amount, and this shall apply to criminal acts committed after 1 July 2009. For injuries suffered as a consequence of criminal acts committed prior to 1 July 2001, the maximum amount payable as compensation shall be NOK 200,000 and for criminal acts committed prior to 1 January 1994 the maximum amount payable shall be NOK 150,000.

## 4. Administrative procedures

In order to be eligible for criminal injuries compensation, the matter must be reported to the police. For criminal acts committed prior to, and including, 2007, there is an additional requirement of reporting the matter without undue delay. For criminal acts committed after 1 January 2008, this requirement has been stricken, and it is sufficient to have reported the matter to the police. Furthermore, the applicant must request that the claim for compensation be included in a possible criminal prosecution against the injuring party. In special cases, exceptions to the requirement of reporting the matter without undue delay and the requirement of including a claim for compensation in the criminal prosecution may be made. The Norwegian Criminal Injuries Compensation Authority must put claims for compensations on hold until a final decision on the matter has been reached in a court of law. In special cases, and for claims submitted after the doctors, dentists, psychologists, etc., may be covered, pursuant to said amendments, if these statements are necessary in order to shed light on the case. Necessary legal assistance may, under certain conditions, be covered in the form of free legal aid. The county governor oversees the free legal aid scheme and will be able to provide additional information on this matter. It is very important that the information provided by the applicant is as comprehensive and accurate as possible. Claims for compensation for financial loss and damage to property must be documented by providing receipts or other forms of documentation. Health-related consequences of the injury must also be documented in the form of a medical statement. The applicant may be liable to reimburse the state for compensation paid if the applicant provides inaccurate information or withholds information significant to the payment, or if the applicant's claim is paid by another party. The listed injuring parties are not party to the action for compensation, and will not be notified thereof. The state will claim right of recourse from the injuring party in all cases involving a conviction, dismissal of criminal proceedings, or accepted penalty. In procedures involving right of recourse, the injuring party becomes party to the case and has the right to access the documents pertaining to the case.

## 5. Appeal

Decisions made in connection with the claim for compensation may be appealed to the Compensation Board for Victims of Violent Crime. The appeal is to be sent to the Norwegian Criminal Injuries Compensation Authority. The Norwegian Criminal Injuries Compensation Authority may change its decision on the matter, or pass the matter on to the Compensation Board for a final decision. The applicant may request a meeting in person with an executive officer with the Justice Secretariat, which is the secretariat for the Compensation Board for Victims of Violent Crime. Costs and expenses associated with an appeal may be covered pursuant to Section 36 of the Public Administration Act, provided that the decision on appeal is changed in favour of the appellant.