



September 2022

APPENDIX TO APPLICANTS

In this appendix, we explain your rights and obligations. Therefore, it is important that you read the entire appendix.

Duty to inform of changes in any information you have provided in the application form Wage guarantee regulations § 3-2 no. 1

You must inform the administrator of the estate if, during the period the application is valid:

- You have started work with a new employer or increased the number of hours you work with another employer
- You earn income that you receive instead of income from the bankrupt business
- You are registered as unable to work due to sickness
- You are granted other benefits or supplements from NAV
- You receive a pension from another pension scheme
- You take holiday or leave of absence
- You receive or have paid out what you have applied for from other sources
- You change your address
- You change your bank account
- You discover that information you have provided in your application is incorrect
- You have other information that can be of importance concerning your rights to benefits from NAV

If you do not report any changes to the administrator of the estate, it can take longer to process your case. If you are paid out too much because you have provided incorrect information or have not reported changes, NAV can demand repayment of any money received.

Decision and payment

When we have processed your case, the decision will be sent to the administrator of the estate, who will send it on to you. You will then be informed of what you have been awarded and what has been rejected. The information will state the type of claim, accrual period and the amount. If your application is granted, we will transfer the amount to the administrator of the estate. This normally takes ten days.

The sum you have been granted from NAV is a gross payment. If you have received unemployment benefit in advance, for the same period that applies to the sum granted, this amount will be deducted from the gross payment. Thereafter, the administrator of the estate will deduct tax and make any other deductions (if applicable) before this is paid out. You will receive an overview of this calculation from the administrator of the estate.

NAV Arbeid og ytelser Sarpsborg will register an A-melding in Altinn for unemployment benefit paid in advance in the event of bankruptcy. The administrator of the estate will register A-melding in

NAV Arbeid og ytelser Kristiania

Postadresse: Pb 6683 St. Olavs plass // 0129 Oslo

Tlf: +47 22 82 20 00

Organisasjonsnr.: 999 263 550

Kontonr.: 6345.05.30761

www.nav.no // e-post: nav.lonnsgaranti@nav.no

Altinn for the rest of the sum that NAV has granted, and for any other payments made from the bankrupt estate.

Remainder of your claim

If there are any funds left in the estate when the estate administration is concluded, it may be possible for you to have claims covered from the bankrupt estate that we have not granted. If you have any enquiries about this, you can contact the administrator of the estate.

Advice from the administrator of the estate - Wage guarantee regulations § 5-2 and § 5-5

You can contact the administrator of the estate if you have any questions concerning the wage guarantee scheme, the calculation of your claim or concerning the documents held by the administrator concerning your case.

Advice from NAV - Public Administration Act § 11

If you have any questions concerning the decision or require assistance in submitting an appeal, you can contact NAV.

Access to case documents - Public Administration Act §18

With a few exceptions, you have the right to see or receive a copy of the documents relating to your case. If you wish to receive a copy of the documents relating to your case you must send a written request to NAV.

Appeal against a decision - Public Administration Act §§ 28, 29, 30, 31 and 32

The deadline for submitting an appeal is three weeks from the date that you (or your representative) received notification of the decision. It is sufficient that the decision has been received in your post box. The appeal must be in writing and must be signed by you or your representative. Any appeal must be sent to NAV Arbeid og ytelser Kristiania, postboks 6683, St. Olavs plass, 0129 Oslo. We will then review your case.

If you require a longer appeal deadline, you must contact us before the deadline expires.

In the appeal, you must state:

- Details of the decision that you are appealing against
- The specific amendments that you are requesting in the decision

You should also:

- State why you believe that the decision is incorrect
- Specify the documents that you are including with your appeal

In principle, we cannot process claims that have been sent after the appeal deadline. However, we can make exceptions, for example if you or your representative cannot be blamed for submitting the appeal after the deadline. If we reject processing of an appeal, you may appeal against the decision to reject the original appeal.

If the decision remains unchanged by NAV, your appeal is forwarded to NAV Klageinstans Oslo and Akershus for a new review and a decision.

You can read more about the right of appeal in the Public Administration Act §§ 28, 29, 30, 31 and 32.

If your appeal is successful, you may be entitled to reimbursement of expenses that were necessary to have the decision overturned, such as legal fees. You may have the right to free legal assistance according to the Act relating to free legal aid. Information concerning coverage of case costs can be obtained from the County Governor's office, from a lawyer or NAV.

You can read about case costs in the Public Administration Act § 36.

Assistance from others - Public Administration Act § 12

You can request assistance from others during the course of processing your case, from, for example, a lawyer, legal assistant, an organisation of which you are a member or from another authorised person. If you have to pay for this assistance, we will not cover any expenses incurred after the administration of the bankrupt estate is opened. If you appeal against the decision and your appeal is upheld, we can however cover significant costs that have been necessary in order to change the decision. You may have the right to receive free legal assistance according to the Act relating to free legal aid. Information concerning coverage of case costs can be obtained from the County Governor's office, a lawyer or NAV.

You can read about case costs in the Public Administration Act § 36.

If the person providing assistance is not a lawyer, you must give this person a written power of attorney. You can use the form available from: www.nav.no/lonnsgaranti.

Contact information:

NAV Arbeid og ytelser Kristiania
Postal address: Pb 6683 St. Olavs plass, 0129 Oslo
Tel: (+ 47) 22 82 20 00
www.nav.no/lonnsgaranti