



January 2024

INFORMATION TO THOSE APPLYING TO THE WAGE GUARANTEE SCHEME

Here we explain the process when you apply to the wage guarantee scheme, and your rights and obligations. It is therefore important that you read this information. You can read more about the wage guarantee scheme at: www.nav.no/lonnsgaranti.

Case process on application to the wage guarantee scheme

You must fill out your application online at www.nav.no/lonnsgaranti, and send it to the administrator of the bankruptcy estate. It is your responsibility to ensure that both the claim and the extent of your claim are sufficiently substantiated. You can do this by, for example, sending confirmation from your employer, the company's auditor or accountant to the administrator of the estate. You can also send in certified timesheets, wage slips, wage/deduction slips, account statements from your bank and your employment contract.

The administrator of the estate will control your application and documentation for your claim before it is sent to NAV. When we have processed your case, a decision will be sent to the administrator of the estate, who will send it on to you. The administrator of the estate will inform you of the outcome of your application. If your application is granted, we will transfer the amount to the administrator of the estate. This normally takes ten days. The administrator of the estate will make deductions for tax before the amount is paid out to you.

Case processing time

Estimated case processing time can be found at www.nav.no/saksbehandlingstider. In some cases it may take longer than the estimated processing time to make a decision.

If information or documentation is missing in the case, it will take longer for us to make a decision or to fully process an appeal. NAV makes a reservation that case processing time can be longer than what stated above if the number of bankruptcies increases significantly.

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

The administrator of the estate has a duty to inform you of the wage guarantee scheme and will advise you about how to complete the application form. However, it is your responsibility to ensure that your application and your claim are correct. You can contact the administrator of the estate if you have any questions concerning the scheme or the documents held by the administrator concerning your case.

Advice from NAV - Public Administration Act §11

NAV is also obliged to provide you with advice concerning your rights and obligations in your case, before, during and after case processing.

Advice concerning advance payments of unemployment benefit in the event of bankruptcy - Public Administration Act §11

You can apply for advance payments of unemployment benefit whilst you are waiting for a decision concerning wage guarantee. You may only receive advance payments of unemployment benefit for one month after bankruptcy proceedings are opened. An application form is available at: www.nav.no.

The time from when you apply for advance payments of unemployment benefit until these are paid out is 3 to 4 weeks. You can read about the right to receive unemployment benefit at: www.nav.no/dagpenger

If you have any questions concerning unemployment benefits you can call NAV on +47 55 55 33 33.

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.

Assistance from others - Public Administration Act § 12

You can request assistance from others during the course of processing your case, for example from 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.

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

You must inform the administrator of the estate if any of the following changes regarding your application occurs:

- You have started work with a new employer or increased the number of hours you work with another employer
- You have 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 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.

Contact information to the Norwegian Wage Guarantee Scheme:

NAV Arbeid og ytelser Kristiania
Pb 6683 St. Olavs plass
0129 Oslo
Norway

Phone: (+ 47) 22 82 20 00

www.nav.no/lonnsgaranti