

# NORWAY

## 1. Actions to take immediately after road traffic accidents

You need only contact the police if the accident has resulted in physical injury. If the police are not called to the site of the accident, for example, when the accident involves material damage only, you are strongly advised to use the European Claim Form which can be obtained from your insurance company. It is important that both parties involved in the accident sign the form because the form is normally used as evidence. It is also important to take down the names and addresses of any witnesses as well as to give information on the facts of the accident. It is also advisable to take a photograph of the scene of the accident.

NB: Do not sign the European Claim Form if you do not understand the content! The same applies to other statements on who is to blame for the accident. You should not sign the form if there are differences of opinion on the facts of the accident. In such a case it is advisable to contact the police, even if the accident only involves damage to property.

## 2. Legal procedure

Compulsory third-party liability insurance with unlimited cover for personal injury applies to motor vehicles and mopeds.

Norway recognises both fault liability arising from an unlawful act and risk liability. Based on risk liability, the party injured by a motor vehicle can submit a claim to the insurer of the vehicle regardless of who was at fault.

If criminal proceedings are brought against the party who caused the accident, the injured party can attach to the proceedings the part of his claim for damages that cannot be submitted to the insurer.

## 3. Compensation for damages/time limits

You can submit a claim for compensation either to the Court in the district where the insurer has its registered or in the district where the accident took place.

The amount of the compensation will be affected if the injured party was partially at fault.

The period of limitations for claims arising from road traffic accidents is 3 years from the date on which the injured party became aware of the scope of the damage and the person responsible became known. The period of limitation can be interrupted by legal action or by the insurer accepting liability. The period of limitations for an unlawful act is 10 years.

## 4. Damages to be compensated.

Loss of income is compensated. Medical expenses are compensated once deductions are made for social benefits and health insurance payouts.

Compensation for pain and suffering is not recognised as such under Norwegian law. However, compensation can be claimed that covers more than purely financial loss. The injured party can make a claim for special compensation for the adverse effects of the

accident. Long-term and significant physical injury must be proved together with a degree of permanent impairment of at least 15%. No compensation for pain and deprivation exists.

Surviving dependents do not have the right to claim compensation for the death of a traffic accident victim.

## **5. Accidents abroad**

With effect from 20 January 2003, the EU 4<sup>th</sup> Motor Insurance Directive has been in force regarding traffic accidents outside your own country. This Directive is also applicable in Norway. Victims of traffic accidents can now claim compensation in a simple manner from the insurer of the party at fault. Such claims are submitted to the representative of the foreign insurer in the country of the victim: the claims representative. Addresses of claims representatives are available from the Information Centre. The centre can also provide information on the compensation body that will make payment if the insurer fails to designate a claims representative or does not respond to a victim's claim.

You can find additional information on this procedure at this website.

## **6. Useful addresses**

Emergency services telephone numbers: police: 112; ambulance: 113; fire brigade: 110

Information centre for insurance details: *Trafikkforsikringsforeningen* [Norwegian Motor Insurers' Bureau] Postboks 2551 Solli - N 0202 Oslo 2, tel.: 00 47 22 04 86 00, fax: 00 47 22 56 21 16, e-mail address: [post@tff.no](mailto:post@tff.no)

(This is also the address for seeking compensation for damage caused by an unknown or uninsured motor vehicle.)