

In resolution CM/ResCSS (2016) on the application of the European Code of Social Security and its Protocol (period from 1 July 2014 to 30 June 2015), the Government of Norway was invited to reply to the following:

I. Concerning Part IX (Invalidity benefit) of the Code

An insured person whose income capacity is permanently reduced by at least 50 percent due to illness, injury or defect, is entitled to a disability benefit. If the disability is due to an approved occupational illness or injury, it is sufficient that the income capacity is permanently reduced by at least 30 percent.

In the case of a partial disability, the benefit is reduced proportionally. This can either be based on actual income, or the recipient's possibility to have an income, as determined by the Labour and Welfare Administration.

There are however, no sanctions in the form of the suspension of benefit if the person concerned do not utilize his or hers residual work ability. The same rules apply in case of disability benefit for employment injury.

II. Concerning Part XI (Standards to be complied with by periodical payments)

Norway accepts the remark that the method used in previous reports for determining the salary of the standard beneficiary may not be the most suitable. We have therefore chosen to report according to Article 65(6) (b), ref (7) option 1.

In 2015, we find the highest number of men employed in the industry *Wholesale and retail trade* (193 000).

In 2015, the average annual pay for a male worker with an occupation in the category *Crafts and related trades workers*, in the industry *Wholesale and retail trade*, was NOK 422 400. This follows the guidelines of cross-tabulating ISIC rev. 4 and ISCO-08/major group 7.

As these are the latest available statistics, we are for the purposes of this report using NOK 422 400 as the basis for calculations for the first quarter of 2016.

The pay is based on payment for normal working hours, 7.5 hours a day, 5 days a week, 260 days per year. It does not include pay for overtime, but covers basic salaries, variable additional allowances and bonuses.

III. Concerning Article 65 (10), Adjustment of benefits to the cost of living, the policy of maintaining the purchasing power of the long-term benefits in payment and giving the pensioners a fair share of the growth of the national economy.

Employment injury benefit, invalidity benefit and survivors' benefit before the age of 67 are adjusted annually, in line with the average growth in wages.

Old-age pensions, including additional benefits for survivors after the age of 67, are adjusted annually by the average of the growth in wages and the growth in prices. Minimum old-age pension follows slightly more generous indexation rules. As a technical simplification, the average of the growth in wages and the growth in prices is determined by subtracting 0.75 per cent from the benefit after adjusting if for growth in wages. The result is expected to give the long term average of the growth in wages and the growth in prices, but may differ year by year.

The table below shows the yearly real growth in a) old-age benefits, b) minimum old-age benefit, c) employment injury benefit, invalidity benefit and survivors' benefit and d) average wages for 2011–2016

	2011	2012	2013	2014	2015	2016	2011–2016
a	2.7 %	2.4 %	0.9 %	0.9 %	-0.4 %	-1.0 %	6.6 %
b	2.8 %	2.7 %	1.1 %	1.2 %	-0.1 %	0.1 %	7.9 %
c	3.2 %	3.2 %	1.6 %	1.7 %	0.4 %	-0.3 %	10.4 %
d	3.0 %	3.2 %	1.8 %	1.1 %	0.7 %	-0.4 %	10.0 %

For information and statistics on the adjustment of benefits under each accepted Part, for the period 2011–2016, reference is made to the enclosed reports regarding ILO Conventions 102, 118, 128 and 130.

IV. Concerning the adequacy of social security benefits

Reference is made to the previous report, which elaborated on the guidelines given by the Ministry of Labour and Social Affairs on reasonable amounts for subsistence allowance for use by local municipalities when assessing claims for social financial assistance.

The Directorate of Labour and Welfare have also prepared guidelines to the Act on Social Services.

Some municipalities have their own guidelines.

We would like to stress that the purpose of the Act on Social Services in the Labour and Welfare Administration of 18 December 2009 is to promote financial and social security, to improve the living conditions of disadvantaged persons and prevent social problems. The municipalities are, according to this Act, responsible for carrying out these tasks in the local NAV-offices. Those unable to support themselves by working are entitled to financial support from their local NAV-office, cf. Section 18 of the Act. Financial assistance shall ensure that the benefits are set at a level which secures the recipient "a dignified life". The aim of this benefit is to help persons become financially independent and self-supporting as soon as possible. The Act requires specific, individual assessment of the need for assistance in all cases. There is no list of indicators used to determine that the level of benefit is sufficient. Instead the local NAV-office makes a discretionary assessment of the applicants' necessary subsistence

costs by enquiring information about the applicants' income, expenses and personal circumstances, such as family situation, household size, housing situation, life situation and health. The benefit shall ensure that the claimant can uphold a reasonable living standard, adapted to the general level of welfare and the local community which the claimant is part of. Necessary subsistence costs are as such a dynamic term.

Decisions terminating payments of unemployment benefit

Reference is made to a previous request regarding decisions terminating payments of unemployment benefit. We have made a commitment to provide the committee with updated information in every detailed report.

In 2015, 44 job-seekers got their benefits stopped during the first three months of unemployment because of refusal to:

- take offered work,
- work in another part of the country, or
- take part time work.

The examination shows that 40 of the 44 job-seekers were sanctioned for refusing to accept jobs that clearly corresponded to their qualifications. In four of the cases, we found it necessary to take a closer look, in order to determine if the job offered was suitable.

In three of the cases, it was not possible to see what kind of work had been offered due to inadequate registration. All three job-seekers were unskilled workers, who had worked a limited period in Norway. Based on their education and their previous work skills, the majority of jobs offered to these job-seekers would be considered to be suitable employment.

One of the job-seekers was offered a job which didn't correspond to his or her qualifications. This job-seeker lived in a municipality which is one of the largest in Norway (2 703.88 km²), but which has only 4 000 inhabitants. The few jobs available for job-seekers who insist on remaining in this particular municipality, will not always be in accordance with the job-seekers' qualifications.

The examination shows that only one job-seeker has been sanctioned during the first three months of 2015 for refusing to accept jobs which didn't correspond to his or her qualifications. The results from the examination show that it is not necessary to amend the guidelines of the Directorate.

Seamen and sea-fishermen

In the letter from Mr. Brillat dated 17 February 2016, it is requested that Norway expressly state whether, and to what extent, account has been taken of the fact that the protection provided for in the Code and Protocol applies to those categories of workers as well.

Seamen and sea-fishermen have the same rights as other members of the National Insurance Scheme.