



The Cash Benefit Act

Act No. 41 of 26 June 1998 concerning Cash Benefit for Parents with Small Children (Cash Benefit Act)

Law | Date: 16/10/2001 | [Ministry of Children and Families](#)

(<http://www.regjeringen.no/en/dep/bfd/id298/>)

Chapter 1 Purpose

Section 1 Purpose of the Act

The purpose of this Act is to help parents to spend more time caring for their own children, to give them genuine freedom of choice as regards type of care for their children and to bring about greater equality in the transfers the individual family receives for child care from the State, irrespective of the child care arrangements made by the parents.

Chapter 2 Conditions for the cash benefit

Section 2 Conditions attached to the child

The cash benefit is granted for children between 1 and 3 years of age who are resident in Norway and who do not have a place or only have a part-time place at a day care care which receives State operating support, cf. section 7 third paragraph.

A child is deemed to be resident in Norway when it has spent or intends to spend more than 12 months in Norway. A temporary stay abroad of up to three months does not cut short a period of residence.

This Act does not apply to children who are in Svalbard and are members of the National Insurance Scheme in accordance with the National Insurance Act section 2-3.

Section 3 Conditions attached to the benefit recipient

The cash benefit is granted to the person with whom the child is living permanently. The benefit recipient must be resident in Norway. The rule in section 2 second and third paragraph applies correspondingly.

Section 4 Children of employees of foreign representations or other foreign administrative branches

The cash benefit is not granted for children living permanently with employees of foreign representations or other official foreign administrative branches in Norway, unless the employee in question is a Norwegian national or is resident in Norway and pays income tax to Norway. However, the cash benefit is granted for children of the spouse or common-law partner of a seconded employee of a foreign representation or other official foreign administrative branch in Norway when the spouse or partner wholly or partially supports the child and pays income tax to Norway on annual earned income exceeding twice the basic amount under the National Insurance Scheme.

Section 5 Exception in the case of rights under foreign national insurance schemes etc.

The ministry lays down regulations containing further rules on exceptions from the right to the cash benefit for children in cases where satisfactory coverage is provided from another country.

Section 6 Children in a foster home or institution

The cash benefits is not granted for children who are in a foster home or institution pursuant to the Child Welfare Services Act (No. 100 of 17 July 1992).

Chapter 3 Size and payment of the cash benefit

Section 7 Size of the cash benefit

The cash benefit is granted in the amounts fixed by the Storting.

The cash benefit is granted at the full rate if the child does not have a place at a day care centre that receives a State operating grant.

If the child has a place at a day care centre that receives a State operating grant, and it is agreed in writing that the child will be at the day care centre on a part-time basis, the cash benefit is granted at a reduced rate as follows:

- a. At 80 per cent of the full rate when the agreed time per week is 8 hours or less
- b. At 60 per cent of the full rate when the agreed time per week is from 9 to 16 hours inclusive
- c. At 40 per cent of the full rate when the agreed time per week is from 17 to 24 hours inclusive
- d. At 20 per cent of the full rate when the agreed time per week is from 25 to 32 hours inclusive

The cash benefit is not granted if the agreed time per week at the day care centre exceeds 33 hours.

The provision of the third paragraph does not apply in cases where the parents have agreed to split the cash benefit between them in accordance with section 9 second paragraph.

Section 8 Period of benefit

The cash benefit is granted from and including the calendar month after the right to the cash benefit commences up to and including the calendar month when the right to the cash benefit ceases to apply.

The cash benefit is granted for up to three months prior to the month the application was submitted, provided the conditions for receiving the benefit were met in this period.

Section 9 Payment of the cash benefit

The cash benefit is payable monthly by the social security office. The cash benefit is paid to the applicant, cf. section 14. If the parents are living together and both apply for the cash benefit, the benefit is paid to the mother.

If the parents are not living together and have agreed in writing that the child shall live permanently with both of them in accordance with the Children Act section 35a second paragraph, the parents may each be paid one-half of the cash benefit provided they are agreed on such a split. Cash benefit paid at a reduced rate in accordance with section 7 third paragraph may not be split.

Section 10 Payment of the cash benefit for adopted children

For adopted children the cash benefit is payable from and including the calendar month following the expiry of the period in which adoption benefit is payable at the full rate pursuant to the National Insurance Act section 14-6 first paragraph.

If a lump sum grant has been paid pursuant to the National Insurance Act section 14-20, the cash benefit is payable as from the date adoption benefit was granted at the full rate in accordance with the same act section 14-16 first paragraph.

Section 11 Demand for repayment following incorrect payment

Where someone has received the cash benefit pursuant to this act contrary to probity and good faith, repayment of the amount may be demanded. Repayment of the benefit may also be demanded if the benefit recipient or someone who has acted on his or her behalf has through negligence given erroneous or insufficient information. The same applies if the payment was due to a mistake on the part of the social security service and the recipient should have realised this.

In cases other than those mentioned in the first paragraph, repayment of the amount paid in excess may be demanded if special grounds make this reasonable. In assessing whether special reasons are present, importance shall inter alia be given to how much time has passed since the incorrect payment took place and to whether the person concerned has made arrangements in reliance on the payment. Repayment pursuant to this paragraph is limited to the amount remaining when the person in question becomes aware that the payment was incorrect.