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If my claim is to be considered in this country

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Cyprus



Cyprus

Which type of crime can I get compensation for?

You can get compensation for a certain number of intentional offences involving the use of violence, which are perpetrated in the regions controlled by the Republic of Cyprus and are referenced in national law (e.g. grievous bodily harm, premeditated murder).

Which type of injury can I get compensation for?

You can get compensation for serious physical injuries or health problems which, based on medical opinion, require hospitalisation and abstention from work for a period of no less than 8 days.

Can I get compensation if I am a relative or dependant of a victim who has died as a result of a crime? Which relatives or dependants can get compensation?

Yes, you can get compensation if you are a dependant of a victim who has died as a result of the offence i.e. the victim's spouse and/or children.

Can I get compensation if I am a relative or dependant of a victim who has survived? Which relatives or dependants can get compensation in this case?

No, you cannot get compensation if you are a relative or dependant of a victim who has survived.

Can I get compensation if I am not a national of an EU country?

Yes, you can get compensation if you are not an EU national, provided that you are a national of a Member State of the Council of Europe and a permanent resident of the Republic of Cyprus, or you are a national of a state that is a party to the European Convention on the Compensation of Victims of Violent Crimes.

Can I claim compensation from this country if I live here or come from here (this is the country of my residence or nationality) even if the crime was committed in another EU country? Could I do this instead of claiming

compensation in the country where the crime took place? If so, under what conditions?

No, you cannot claim compensation from this country, if you live here or you come from here, for a crime committed in another EU country. Compensation is only granted for crimes committed in the regions controlled by the Republic of Cyprus.

Do I have to have reported the crime to the police first, to be able to claim compensation?

Yes, you need to report the crime to the police within five days of the date on which it was committed or, if it is not reasonably feasible to do so within that deadline, within five days from the moment it was reasonably feasible to report it.

Do I have to await the outcome of any police investigations or criminal proceedings before I can claim?

No, the claim for compensation must be made within two years of the offence regardless of whether the police investigation and/or criminal proceedings are ongoing.

Do I have to first seek compensation from the offender – if they have been identified?

Yes, before you can claim compensation, it is necessary to seek compensation from the offender first, if they have been identified. However, the claim for compensation must be made within two years from the time of the crime being committed, regardless of whether the action against the offender is still ongoing.

If the offender has not been identified or convicted, can I still qualify for compensation? If so, what evidence do I need to present to support my claim?

Yes, you will still be entitled to compensation if the offender has not been identified or convicted. You must present a police report relating to the case which shows that the offender has not been identified.

Is there a time limit within which I have to claim compensation?

Yes, the deadline for applying for compensation is two years from the date of the crime being committed.

Which losses and expenses are covered by the compensation?

a) For the victim of the offence:

- Material (non-psychological) damage :

- *medical costs of injury (medical treatment — ambulant and hospital treatment, recovery)*

Free healthcare is provided by public health institutions and services up to the amount of EUR 1 709.

- *additional needs or costs arising from injury (i.e. care and assistance, temporary and permanent treatment, prolonged physiotherapy, adaptation of housing, special aids, etc.)*

Included in the above amount.

- *permanent injury (e.g. invalidity and other permanent handicaps)*

In the case of permanent incapacity for work, a disability pension is provided. The amount is equal to the percentage reduction in capacity for work multiplied by the full basic pension awarded under the Social Insurance Law.

- *loss of earnings during and after medical treatment (including lost earnings and lost or diminished ability to earn a living, etc.)*

In the case of temporary incapacity for work, a sickness benefit is provided for a period of up to six months. The amount is equal to the full basic sickness benefit paid under the Social Insurance Law.

- *loss of opportunity*

Not applicable.

- *expenses linked to legal proceedings related to the incident causing the damage, such as attorney's fees, court costs)*

Not applicable.

- *compensation for stolen or damaged personal property*

Not applicable.

- *other*

Not applicable.

- Psychological (moral) damage:

- *pain and suffering of the victim*

Not applicable.

(b) For entitled people or relatives of a victim:

- Material (non-psychological) damage :

- *funeral costs*

A funeral allowance is provided. The amount is equal to the funeral allowance paid under the Social Insurance Law.

- *medical costs (e.g. treatment for a family member, outpatient or inpatient treatment, rehabilitation)*

Not applicable.

- *loss of maintenance or of opportunity*

A survivor's pension or orphan's allowance is provided. The amount is equal to the full basic pension or allowance paid under the Social Insurance Law.

- Psychological trauma:

- *pain and suffering of relatives or entitled people/compensation to survivors if the victim died*

Not applicable.

Is the compensation paid out in a single payment or monthly instalments?

The compensation is paid in a single instalment but the disability pension, the survivor's pension and the orphan's allowance are paid on a monthly basis.

In what way could my own behaviour in relation to the crime, my criminal record or failure to cooperate during the compensation proceedings affect my chance of receiving compensation, and/or the amount I receive?

Compensation will not be paid when you become a victim of your own crime, are involved in organised crime, or are a member of an organisation which is involved in crimes of violence, even if the violent criminal act which you are a victim of is not relevant or you did not participate in it.

In what way could my financial situation affect my chance of receiving compensation and/or the amount?

Your financial situation does not affect your chance of receiving compensation.

Are there any other criteria that could affect my chance of receiving compensation and/or the amount?

If you fail or refuse to cooperate fully with the police or another competent authority.

How will the compensation be calculated?

The compensation is calculated in the manner mentioned in the question above: "What losses and expenses are covered by the compensation?"

Is there a minimum and/or maximum amount that can be awarded?

There is no minimum amount of compensation. The maximum amount that can be awarded is mentioned in the question above: "Which losses and expenses are covered by the compensation?"

Am I expected to quote the amount in the claim form? If so, do I get any instructions on how to calculate it or on other aspects?

No, it is not necessary.

Will any compensation I receive for my loss from other sources (such as my employer's or a private insurance scheme) be deducted from compensation paid by the authority/body?

Yes, any compensation received from other sources will be deducted.

Can I get an advance on the compensation? If so, on what conditions?

No, you cannot.

Can I get complementary or additional compensation (following e.g. a change in circumstances or worsening health etc.) after the main decision?

No, you cannot.

What supporting documents do I need to include with my claim?

You must submit a police report and a medical certificate along with the application for compensation. You may

be asked to submit any or all of the documents mentioned below:

- • power of attorney/proof of authority or relationship with the victim
- • death certificate of the victim
- • copy of the police report
- • copy of the judgment/court decision
- • medical reports and certificates
- • hospital bills
- • bills for other expenses (care, funeral)
- • income (salary, social welfare/assistance payments)
- • confirmation of collecting (or not) relevant cash amounts from other sources (employer's insurance, private insurance)
- • criminal record
- • any other supporting documents related to your case

Are there administrative or other charges to be paid when the claim is received and processed?

No.

Which authority decides on compensation claims (in national cases)?

The Director of Social Insurance Services.

Where do I send the claim (in national cases)?

You can hand in your claim form or send it by post to the following address: Social Insurance Services, 7 Lord Byron Ave., 1465, Nicosia, Cyprus.

Do I need to be present during the procedure and/or when my claim is being decided?

No, it is not necessary.

How long does it take (approximately) for a decision to be issued by the competent authority on a claim for compensation?

It takes 6 months from the date on which all the information is available for a decision to be made.

If I am not satisfied with the authority's decision, how can I challenge it?

You can challenge the decision by filing a claim before the Administrative Court within 75 days of the decision.

Where can I get the necessary forms and other information on how to claim?

You can find claim forms and information about compensation – in Greek and English – at the offices of Social Insurance Services or on the website of Social Insurance Services: <http://www.mlsi.gov.cy/sid>.

Is there a special helpline or website I can use?

There is no special helpline or website for compensation. You can get information by directly contacting Social Insurance Services (<http://www.mlsi.gov.cy/sid>).

Can I get legal aid (help from a lawyer) when preparing the claim?

You can apply for legal aid in relation to the proceedings of your case. There is no legal aid for the preparation of applications for compensation which are submitted to this authority.

Are there any victim support organisations that can help me claim compensation?

You can get information and claim compensation by directly contacting Social Insurance Services (<http://www.mlsi.gov.cy/sid>).

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