



Claims Arising From Car Accidents

If you are injured in a motor vehicle accident as a driver, passenger, cyclist or motorbike rider, you may be able to claim compensation if you consider a driver or an owner of a motor vehicle, other than you, was partially or completely at fault for the accident.

It is necessary to comply with strict time limits and procedures in making such a claim, otherwise, any rights to claim compensation may be compromised or lost. As a result, it is recommended that legal advice be obtained promptly following a motor vehicle accident, in order to ensure that all time limits are met.

The accident must be reported to the police immediately and an accident notification form needs to be lodged with the insurer of the vehicle considered at fault within 28 days. A full personal injury claim form then needs to be lodged with the relevant insurer within 6 months of the accident.

The following compensation entitlements are available for injuries suffered in a motor vehicle accident:

- Immediate payment of medical expenses up to \$5,000.00.
- Non-economic loss (pain and suffering) - only if the injuries are

assessed as exceeding 10% whole person impairment in accordance with the Motor Accidents Authority's guidelines.

- Past and future loss of income and superannuation.
- Past and future medical treatment expenses.
- Past and future assistance needs- subject to the proviso that if the assistance is provided without charge, the need for assistance has to be for over 6 months, and has to be for over 6 hours per week.
- Legal costs.

We know the 'ins and outs' of the motor accidents compensation scheme because we deal with it every day! We know the insurance companies and the tactics they use to minimise compensation payouts. And we put this knowledge to the best possible use- maximising our client's compensation payouts.

This article is meant for general information only and should not be relied upon as legal advice.

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