

TAC CLAIMS IN VICTORIA

The TAC (Transport Accident Commission) is a Government owned organisation that was set up in 1987 to pay for treatment and benefits for people injured in transport accidents (including cars, motorcycles, trains, trams and buses).

The scheme is a “no fault” system which means that the following benefits will be paid to an injured person, or their beneficiaries, regardless of the cause of the accident.

- medical and like expenses
- payment for being unable to work
- dependency benefits for dependants of deceased persons
- lump sum impairment benefits

To be entitled to a lump sum impairment benefit the level of whole person impairment must be determined to be 11% or more.

After a claim has been made the TAC must make a decision to accept it within 21 days or request further information. If the TAC does not respond within 21 days, they are deemed to have rejected your claim and you have 12 months to challenge the decision. You should seek legal assistance immediately as most time limits cannot be extended.

If another party was to blame at least in part for the accident you may also be able to make a common law claim for compensation. This compensation is for (a) pain and suffering, and loss of enjoyment of life; and (b) loss of earnings and earning capacity. You may only make a common law claim if you are assessed as having a “serious injury”. This depends upon the permanent consequences that the injuries have on the injured person’s life. You are deemed to have a “serious injury” if you have a whole person impairment of 30% or more.

It is important that you seek legal advice from a specialist injury lawyer to ensure that your entitlement benefits are correctly assessed by the TAC and you receive the compensation you are entitled to.

Challenge to TAC decision

If you have made a claim against the TAC and do not like a decision that was made by the TAC you may be able to successfully challenge that decision. There are strict time limits on this procedure so you must seek advice as soon as possible.

No Win, No Fee

In most instances we are able to offer you a “no win, no fee” arrangement and this will be discussed with you at the first consultation.

This article contains general information only and is not provided as legal advice. Professional advice should be taken before any course of action is pursued, or any information here is relied upon.

For advice about injury law matters contact Harry Gill, Jodie Gerritsen, Henri Kauthen, Danielle Meyer or Nadia Fabris on 9890 3321.



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