

TAC

Information Guide



No Win, No Fee
Personal Injury Lawyers

Being injured in a road accident can leave you feeling frustrated, vulnerable, and alone.

Sometimes the injuries are irreversible and life-altering. Thankfully, we are experts at assisting people like you in dealing with the TAC, and obtaining the financial security via compensation that you are entitled to and deserve. We are here to help.

At Arnold Dallas McPherson, we provide you the highest standard of legal services on a no win, no fee basis. We pride ourselves on doing this personally and being on the journey with you throughout your claim.

We have been helping injured Victorians to secure financial compensation and lump sum payments for over 25 years. Your road to financial recovery begins with us. It doesn't cost you anything to know where you stand.

**Call us on 1800 242 588
or visit www.admlaw.com.au
to find out how we can
help you today.**



“What a professional organisation. They sorted out my case for me from the beginning till the end. I was treated with dignity and the utmost of respect. Thanks again to everyone who worked on my behalf.”

Colin P - Google Review

If you have suffered an injury because of a transport accident in Victoria, you are able to lodge a claim with the Transport Accident Commission (TAC) for support and compensation.

- Claims should be lodged within 12 months of the accident date.
- Before lodging a claim, the accident must be reported to Police.
- TAC may accept a claim within 3 years of the accident date.

To lodge the claim, call the TAC on 1300 654 329 or do so online at www.tac.vic.gov.au.

What benefits does TAC pay?

Once your claim with the TAC is accepted you may be entitled to the following benefits:

No Fault Benefits

1. Medical and Like Expenses

The TAC is able to pay for reasonable medical and related expenses for treatment required for your accident-caused injuries.

This can include medication, rehabilitation, travel expenses or even help in your home or garden.

If a family member has been hospitalised after an accident and you live far from the hospital, certain family members are able to claim for assistance with accommodation and travel costs and, in limited circumstances, lost earnings, to visit the family member.

2. Weekly Payments

After the first five working days after injury the TAC can pay loss of earnings benefits to a person who suffers a loss of income because of their injuries.

Loss of earnings benefits are payable at a rate of 80% of your 'pre-accident weekly earnings' (up to a statutory maximum) for a period of 18 months after the accident.

If you are still incapacitated for work after 18 months, the TAC can pay loss of earning capacity benefits for a further 18 months. Loss of earning capacity benefits can be payable even if you were not working at the time of the accident.

Loss of earning capacity benefits are only potentially payable after the 3rd anniversary of your accident if you have a whole person impairment of 50% or more.

A photograph showing a person from the waist down, wearing a white t-shirt and dark shorts. They have a black brace on their right knee and are using two blue-handled crutches. A healthcare professional in blue scrubs is standing to the right, with their hand on the person's hip, providing support. The background is a bright, clinical setting.

3. Impairment Benefit

If you have a permanent injury as a result of the accident, you may be entitled to a modest lump sum payment known as an impairment benefit.

You can receive an impairment benefit if your whole person impairment score is independently assessed as greater than 10% under prescribed impairment guides.

Your level of impairment can generally not be assessed until at least 12 months after your accident. An impairment benefit claim must be made within 6 years from the date of the accident.

Disputing a Decision of the TAC

You have 12 months from the date of a decision of the TAC which you disagree with to lodge a dispute with the Victorian Civil and Administrative Tribunal (“VCAT”).

We can also assist you with objectionable TAC decisions by seeking internal review and/or by lodging a dispute through the TAC’s Dispute Resolution Protocols.



Fault Based Claims (Common Law Damages)

If you have suffered injury due to the negligence of another person, you may be able to sue for further compensation in addition to your no fault benefits, known as common law damages.

However, a person can only sue for damages if they have a “serious injury” certificate.

Damages at common law in TAC claims can compensate for your Pain and Suffering and your Economic Loss.

Serious Injury

You have a serious injury if:

- You are assessed as having an impairment of 30% or more; or
- The TAC or a Court grant you a serious injury certificate as you are considered to have:
 - (a) serious long-term impairment or loss of a body function; or
 - (b) permanent serious disfigurement; or
 - (c) severe long-term mental or behavioural disturbance or disorder; or
 - (d) loss of a foetus.

Time Limit

You have only 6 years from the date of the accident to bring a common law claim for damages.

A minor must make a claim within 6 years from the date they turn 18 years old.

If legal proceedings are not issued within these time frames, you may lose your rights.

Claims for common law damages are very complex.

Our experienced and specialist solicitors at Arnold Dallas McPherson can assist you throughout this process, providing you with expert advice and assistance.

Loss of a Family Member

If you have lost a family member in a transport accident, the TAC may assist with:

- Funeral, burial and cremation costs.
- Counselling services.
- Travel and accommodation for family to attend the funeral.
- Weekly benefits or lump sum for certain dependent family members.

If the death was caused by the negligence of another person, a common law claim may possibly be brought.

Why Arnold Dallas McPherson?



Our understanding team

We understand that dealing with lawyers can be daunting. We listen to your story carefully and answer your questions clearly. We ensure that you understand your rights and responsibilities, our role in assisting you, and what your claim involves.



We are an excellent specialist injuries firm

Our lawyers are committed to excellence and are proud of their results and the firm's reputation. Many of our lawyers are Accredited Personal Injuries Specialists, and leaders within the Victorian legal profession. Our support staff are well trained, caring, and committed to assisting our clients.



Truly local services

We understand the needs of people in Country and Metropolitan Victoria. Our offices in Bendigo, Melbourne, Echuca, Shepparton, Maryborough, Castlemaine, Narre Warren, Scoresby, Bundoora, Ringwood and Chadstone allow Victorians to access excellent legal services locally and in person.



Our clear advice

We promise to explain your rights and the legal process to you in a language you will understand. We will listen to you, address your concerns, and advance your interests.



Our independence

Our firm is a proud, long-standing member of the Australian Lawyers Alliance, a group which fights for the rights of ordinary people. We do not work for big companies or insurers. We will fight for your rights without compromise.



Our experience

We have acted for tens of thousands of injured Victorians, helping them to achieve financial recovery after injury. Our lawyers have deep and wide experience in all facets of Personal Injury Law, and enviable records of delivering outstanding results for clients.

For over 25 years, we have acted on behalf of thousands of injured Victorians, helping them to achieve excellent results and financial security.

DO YOU HAVE ANY QUESTIONS?

Our Personal Injury Lawyers are here and ready to help you.

We'll listen to your story and help you move forward with your life. Call us on **1800 242 588** or visit www.admlaw.com.au for a free case evaluation.



Our Personal Injury Lawyers are experienced in all facets of Personal Injury Law which include:

WorkCover Claims

TAC Accident Claims

Public Liability Claims

Asbestos Compensation Claims

Superannuation Insurance Claims

Injuries Caused by Negligence

CONTACT US

Your road to recovery begins with Arnold Dallas McPherson. With offices right across Victoria, we are able to meet the needs of people in both Country Victoria as well as Melbourne Metropolitan regions so that all Victorians can access affordable, clear and concise legal services.

Tel 1800 242 588 | admlaw.com.au



“The most rewarding aspect of my work is making a fundamental difference in the lives of my clients by obtaining the best possible outcome in their legal matters.”

Kelsey Johnston
Lawyer

Disclaimer

This guide outlines important information if you've been injured in a workplace accident within Victoria. Please be aware that the advice given here is of a general nature, and does not constitute legal advice. Liability limited by a scheme approved under Professional Standards Legislation

Acknowledgement of Country

Arnold Dallas McPherson acknowledges the Traditional Owners of the land on which we work and live across Australia, and recognise their continuing connection to the land and community. We pay respect to Elders past, present and emerging.