MOTOR VEHICLE ACCIDENTS AND INSURANCE

* Types of insurances
* Reporting accidents
* Car accidents and injuries

**P1** I am going to buy a car.

**P2** How exciting! Do you know about insurance in Australia?

**P1** No

**P2** There are 3 normal insurances that you can buy when you get your own car. 1. Comprehensive, 2. CTP and 3. Third party property insurance

P1 What are the differences between these different types of insurance?

P2 You can buy comprehensive insurance, which covers damage to your car and damage to someone else’s car or property if you cause an accident.

The CTP is the one that you have to pay for with your car registration and is called compulsory third party or CTP insurance. It covers injury to other people.

Then there is third party property insurance. It covers damage to someone else’s car or property, but not your car.

**P1** OK so when I register a car, I also pay this compulsory third party insurance and if I have an accident, the insurance pays if someone else gets hurt?

**P2** Yes that’s right. If you are involved in a car accident, and it was your fault, you don’t personally pay for all of the medical or rehabilitation costs while an injured person is recovering.

**P1** How would anyone work out if an accident was my fault or someone else’s fault?

**P2** You have to report accidents to the police and they do an investigation and work out who was at fault.

**P1** Do we have to report every car accident to the police?

**P2** If anyone has been injured or any property has been damaged other than your own car, you have to report the car accident to the police.

**P1** So what if someone else causes the accident and I am injured?

**P2** Their CTP insurance covers your injuries.

**P1** And what if they damage my car or run into my house?

**P2** If they have third party property insurance or comprehensive insurance, then the damage they cause to your property, or your car is covered by their insurance.

**P1** What if they don’t have either of those insurances?

**P2** Then you have to claim damages from them by legal action. It is called “suing” or claiming and it is a process that is usually started in courts. Usually, it takes a long time to settle.

**P1** Wow. It is much better to have insurance then!

**P2** Yes, it is. It is really important with any car accident that it is reported to the police and also to your insurer. That way they can make sure that all the paperwork is done that is needed for the payment of damages and recovery from injury.

**P1** If I am involved in an accident and someone is injured, even me, what happens?

**P2** The motor accident insurance commission in Queensland can help with the claim process but there are essentially 6 steps:

1. Report to the police and get a QP number. The QP number is the number that the police call the report.
2. Get all the details you can of the car or cars that caused or were involved in the car accident. If there were three cars, for example, in a pile up, get the registration numbers, photos of all the cars involved.
3. Make sure you know the very strict and limited time frames involved for the process. They are different depending on whether the cars can be identified and whether you speak to a solicitor or not. If you do speak to a solicitor, your time frame is much shorter.
4. Complete the right claim form for the accident. There are a couple of different forms depending on whether there was a death or not.
5. You will have to provide other information like your identification, medical certificate and anything else the insurer needs to make sure you are being honest, you are giving them all the details you know and making sure that you aren’t being taken advantage of.
6. Finally, then you lodge the form.

**P1** What if I can’t get the registration number of the car or cars involved?

**P2** Make sure that when you talk to the police you give them all the details you can. If the car cannot be identified, there is a claim that can be made to what is called the Nominal Defendant but that only applies if the police cannot find the car that was involved in the accident.

**P1** What happens if I can’t go back to work because of my injuries?

**P2** You can use a different process called a common law claim for personal injuries. It is a lot more complex and takes a lot longer. You should get legal advice by contacting a personal injuries solicitor.