



# TAC - Part II Statement

Under the  
*Freedom of Information Act*

June 2023

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## 1 Organisation and Functions

The Transport Accident Commission (TAC) is a Victorian Government-owned organisation whose role is to promote road safety, support those who have been injured on our roads and help them get their lives back on track.

We are funded through the TAC charge which is a component of the payment made by Victorian motorists when they register their vehicles each year with VicRoads.

### Delivering benefits

We cover the costs of injuries which are the direct result of the driving of a car, motorcycle, bus, train or tram. We provide support services for people injured in a transport accident as a driver, passenger, pedestrian, motorcyclist, and in many cases, a cyclist.

Under our 'no-fault' scheme, we will pay medical benefits and support services to any injured person regardless of who caused a crash.

The type and amount of support you receive, and the length of time you need support, will depend on your circumstances. Support can include:

- medical treatment
- services to help you while you recover
- replacement or repair of damaged glasses or dentures
- income support if you can't work because of your accident injuries
- return to work support for you and your employer
- a lump sum payment if you are eligible for compensation

For more details on the support the TAC can offer visit the 'What the TAC can pay for' page.

We commit to delivering these benefits to everyone in a caring, efficient and financially responsible way.

### Accident prevention

We are unique among personal injury compensation schemes in that one of our key roles is to promote road safety. Working closely with Victoria Police, the Department of Justice and VicRoads, we develop campaigns that increase awareness of road safety issues, change behaviour and ultimately reduce the incidence of road trauma.

The economic and social costs associated with road trauma make the issue of road safety a major concern for the community.

The number of lives lost on our roads each year across Victoria is less than a third of what it was back in 1989. This has been achieved in part through sustained campaigning to reduce road trauma and death on Victoria's roads. Victoria now has one of the best road safety records in the world.

Reducing the frequency and severity of transport accidents not only saves lives and avoids serious injuries, it also reduces claims. This provides savings to the Victorian community and ensures the long-term financial viability of the transport accident scheme.

The TAC pays an average of \$170,000 for each road death and an average of \$2.25 million for each serious injury (e.g. traumatic brain and spinal injuries). In the 2021/22 financial year, the TAC paid out \$1.54 billion in benefits and compensation to more than 43,000 people, which represents a direct cost to the Victorian community funded by premiums paid by vehicle owners. Preventing crashes saves lives, reduces injuries and provides savings to the Victorian community.

### **Contact details**

General phone number: 1300 654 329

Email: [info@tac.vic.gov.au](mailto:info@tac.vic.gov.au)

Post: GPO Box 2751, Melbourne VIC 3001

Website: [www.tac.vic.gov.au](http://www.tac.vic.gov.au)

The TAC headquarters is located at:  
60 Brougham Street, Geelong VIC 3215  
Hours: 8:30am-5:30pm, Monday-Friday

## The Transport Accident legislations and regulations

### The Legislation

The *Transport Accident Act 1986* is the main legislation that guides the TAC in the types of benefits it can pay and any conditions that apply.

The purpose of this Act is to establish a scheme of compensation in respect of persons who are injured or die as a result of transport accidents.

A full copy of the *Transport Accident Act 1986* can be found at  
<https://www.tac.vic.gov.au/providers/type/content/legislation-and-regulations>

### The regulations

The regulations listed below specify certain injuries for the purposes of the definition of a severe injury in the *Transport Accident Act 1986*. They also prescribe the forms to be used for the purposes of that Act and the threshold amount that the TAC must not exceed for a payment or contribution to a person under Section 60(4) of the *Transport Accident Act 1986* unless the person enters into an agreement with the Commission in relation to the ownership of, and maintenance of modifications to, a home or semi-detachable portable unit.

- Transport Accident Regulations 2017

The regulations listed below prescribe the manner of calculation of periodic payments of impairment benefits under section 47(4) and section 48(1) of the *Transport Accident Act 1986*. They also determine for the purposes of section 56 of the *Transport Accident Act 1986*, an amount being in redemption of the sum of periodic payments under section 48 of that Act and the weekly payments under section 49, 50 or 51 of that Act.

- Transport Accident (Impairment) Regulations 2020

The regulations listed below prescribe the periods and times or intervals for the payment of transport accident charges in relation to motor vehicles of specified classes. They also contain the formula used to calculate the pro-rata refund of the unused transport accident charge when a vehicle's registration has been cancelled.

- Transport Accident (Administration of Charges) Regulations 2021

Full copies of these regulations can be found at <https://www.tac.vic.gov.au/providers/type/content/legislation-and-regulations>

The TAC's functions under the *Transport Accident Act 1986* are:

- to administer the Transport Accident Fund
- to receive and assess, and accept or reject, claims for compensation
- to defend proceedings relating to claims for compensation
- to pay compensation to persons entitled to compensation
- to determine transport accident charges
- to collect and recover transport accident charges
- to provide advice in relation to the transport accident scheme
- to provide funds for the program referred to in subsection (3) and for other rehabilitation programmes for persons injured in transport accidents
- to collect and assess data and statistics in relation to transport accidents
- to provide advice to the Minister in relation to matters specifically referred to the Commission by the Minister and generally in relation to the administration of this Act and the compensation scheme under this Act
- to commercially exploit knowledge and expertise in compensation schemes and scheme administration

- to act as an authorised agent under section 501 of the Workplace Injury Rehabilitation and Compensation Act 2013
- if appointed, to act as an agent of a self-insurer under section 392(2) of the Workplace Injury Rehabilitation and Compensation Act 2013
- to carry out such other functions conferred on the Commission by this or any other Act
- to promote the prevention of transport accidents and safety in use of transport

Many of the TAC's powers and functions are assigned to us by specific acts. We have listed most of them below:

Acts:

- Accident Compensation Act 1985
- Building Act 1993
- Carers Recognition Act 2012
- Charter of Human Rights and Responsibilities Act 2006
- Crimes Act 1958
- Disability Act 2006
- Financial Management Act 1994
- Freedom of Information Act 1982
- Health Records Act 1982
- Local Jobs First Act 2003
- Privacy and Data Protection Act 2014
- Public Interest Disclosure Act 2012
- Public Records Act 1973
- Residential Tenancies Act 1997
- Transport Accident Act 1986
- Workplace Injury Rehabilitation and Compensation Act 2013
- Wrongs Act 1958

Policies, Procedures and Guidelines

The TAC publishes a large number of policies, procedures and guidelines related to its claims management function. These include:

- Accidents before 1 September 2003
- Accidents between 1 September 2003 and 15 December 2004
- Accidents on or after 16 December 2004
- Additional disability support services
- Allied Health and Physical Therapies
- Ambulance services
- Appendix - Authorised Service Provider Eligibility Criteria (Rehabilitation and Disability)
- Attendant care
- Autopsy services
- Capital Service Agreement Limit
- Certificates of Capacity
- Choosing a supported accommodation service (webpage)
- Claims for Common Law Damages
- Claims for Compensation - TAC Response Time
- Claims from Country Fire Authority (CFA) Volunteers
- Clients turning 18 years of age
- Clients with a 28 or a 29 percent Impairment
- Clients with a 48 Percent or a 49 Percent Impairment policy
- Clinical notes and treatment reports
- Combination of compensable and non-compensable treatment
- Common law time limits
- Community access support services
- Community nursing
- Definition of Disability

- Definition of severe injury
- Dental services
- Dependent child
- Dietitians and weight management
- Doctors and diagnostics
- Dog Kennelling policy
- Domestic Partners
- Driving and vehicle modifications
- Early Intervention Physiotherapy Framework
- Earner (Definition of)
- Education support services and returning to school
- Eligibility for Benefits
- Eligibility for LOEC Benefits
- Evidence-based treatment
- Examination fees
- Expenses when attending medical/impairment examinations policy
- Family Planning Education
- Financial Administration
- Financial Hardship (Definition of)
- Financial intermediary services
- Financial intermediary services for IF clients fees
- Funding Treatment by a Member of the Client's Immediate Family
- Hearing services
- Home modifications
- Hospital discharge checklist (webpage)
- Hospital treatment
- How are LOEC benefits assessed?
- How are Loss of Earnings (LOE) benefits assessed for self employed clients?
- How are Loss of Earnings (LOE) benefits assessed?
- How Long are LOEC benefits payable for?
- How long are Loss of Earnings (LOE) benefits payable for?
- Immediate family member
- Impairment benefits
- Impairment examination (webpage)
- Impairment payments for accidents on or after 16 December 2004
- Impairment payments for accidents prior to 16 December 2004
- Indemnity provided by the transport accident charge
- Independent Medical Examination requested by the TAC only (non joint)
- Indexation of benefits schedule
- Individualised Funding
- Information on medical examinations (webpage)
- Injuries sustained after the transport accident
- Interim Loss of Earnings Payment
- Interpreting services
- Interstate (non-Victorian) Accidents
- Interstate Services
- Joint Medical Examination policy
- Joint medical examinations and reports fees
- Loss of Earnings Benefits
- Loss of Earnings Capacity (LOEC) benefits
- Loss of wages for parents of injured children
- Making a Claim for Compensation
- Medical and rehabilitation equipment
- Medical excess
- Medical Service (Definition)
- Medicinal Cannabis for the treatment of Chronic Non Cancer Pain (CNCP) sub-policy
- Mental health and wellbeing services
- Minors additional benefit policy
- Minors entitlement
- Motor Sports Accidents policy

- Multiple accidents before 16 December 2004
- Multiple accidents before and after 16 December 2004
- Non-Established, New or Emerging Treatments and Services (NeNETS) policy
- Notional impairment amounts as at 16 December 2004
- Occupational Therapy
- Optical, orthoptic and optometry services
- Orientation and mobility
- Orthotic and prosthetic services
- Outpatient rehabilitation services
- Overpayments and recoveries
- Overseas travel to attend medical examinations in Australia policy
- Parent
- Pedal Cycle Sport Accident policy
- Pharmacy and medication expenses
- Post Hospital Support Payments
- Post-hospital support (webpage)
- Pre-accident Weekly Earnings (for accidents on or after 1 January 2005)
- Pre-accident Weekly Earnings (for accidents on or before 31 December 2004)
- Private Health Insurance - Reimbursement of Expenses
- Rehabilitation at home providers
- Rehabilitation at Home services
- Returning to work
- Reviewing a TAC decision
- Road accident rescue services (RAR)
- Safety Net Income Benefit (SNIB)
- Schedule 1 Authorised Rehabilitation Services
- Schedule 2 Authorised Disability Services
- Schedule 3 - Individual Funding Agreements (Approved Services)
- Schedule 4 Occupational Therapy Services - Authorised Services
- Serious Injury applications for mental injury claims
- Shared supported accommodation – your rights and responsibilities (webpage)
- Speech pathology
- Substitute Care
- Support at home
- Supported accommodation
- Supported Employment Service
- Surgery and medical specialists
- Surviving Dependent Child
- Surviving Dependent Partner
- TAC Electronic Communication Policy and Guidelines
- Taxation of No fault Compensation
- Time Limit to Apply for the Payment of Medical and Like Expenses
- Total amount of travel and accommodation the TAC can pay
- Transport Accidents
- Transport accidents and accidents arising out of the use of vehicles
- Travel Allowance Agreements for Clients with a Severe Injury
- Travel and accommodation
- Uninsured and Unregistered Vehicles - Accidents on Private Land
- Vaccinations
- What other factors can affect your entitlement to loss of earnings benefits?
- When a family member dies
- Who is eligible to receive Loss of Earnings (LOE) benefits?
- Who is not eligible to receive loss of earnings benefits
- Will the TAC cover me if I am injured in an organised race or speed trial?
- Work Related Compensation
- WorkCover - transport accidents and accidents arising out of the use of vehicle claims
- Wrongs Act dependency claims
- You can take out TAC coverage before the event

Full copies of these Policies, Procedures and Guidelines can be found at <https://www.tac.vic.gov.au/clients/how-we-can-help/treatments-and-services/search-policies>

#### Organisational structure

To exercise these powers we have organised the administration into the following functional groups:

- Chief's Executive Office
- Marketing, Communications & External Affairs
- Road Safety
- Scheme Performance
- People and Culture
- Strategy, Sectors & Research
- Business Enablement
- Rapid Recovery
- Complex Recovery & Serious Injury
- Information Technology Shared Solutions
- Enterprise Risk

We have attached our organisational chart (at Appendix 1) which shows how we are set up to perform these functions. Each branch or division is responsible for planning and implementing specific services.

## **2 Categories of Documents**

The branches or divisions that provide services and perform functions keep documents associated with their work. The documents fall into these broad categories.

- Claims data and information
- Policies, guidelines and manuals
- Work practices
- Statistics
- Leases, permits and licenses
- Internal and external correspondence
- External services reports
- Financial records
- Board, Committee and Meeting records
- Legal documents
- Budget Management
- Government Relations
- Campaigns
- Research

## **3 Accessing Documents and Information from the TAC**

### **Freedom of Information**

The *Freedom of Information Act 1982* (FOI Act) gives individuals a general right to:

- Seek access to documents held by the TAC about their personal affairs (such as details of a TAC claim), a third party, or the operations of the TAC in general;



- Ask for an amendment to personal records – if the personal records are incomplete, out of date, incorrect or misleading;
- Seek a review of an FOI decision by the Victorian Information Commissioner - Public Access.

However FOI does not give citizens unlimited access to documents.

There are several important restrictions on the types of documents available under FOI. For example, documents/information which may not be available include:

- 'exempt documents' such as internal working documents, law enforcement documents, documents relating to legal proceedings, or documents affecting the personal privacy of other people
- documents which are already publicly available or available by paying a fee under another Act

In most instances, an FOI request to the TAC will take between 25-45 days to process, and may involve the payment of fees and charges.

More details about FOI and how to make a formal request are located on TAC's [website](#):

*As of 12 December 2016, all reimbursements made by the TAC to Ambulance Victoria for transport accidents will now be considered TAC 'business payments' rather than 'claim payments'. This means that payments made from the TAC to Ambulance Victoria after the 12 December 2016 will not appear in a print out of payments on a client's claim. Access to TAC/Ambulance Victoria payments made after 12 December 2016 must be specifically requested under the Freedom of Information Act 1982 via the TAC FOI team ([foi@tac.vic.gov.au](mailto:foi@tac.vic.gov.au)).*

### **Release of Information (free of charge)**

The TAC will provide clients, their solicitors and insurers a copy of the following information for free:

- TAC claim form
- Most medical reports
- Decision letters.

The TAC cannot provide the following information under the 'Release of Information' (ROI) process:

- Medicare/Health Insurance Commission information
- Victoria Police Accident Record System reports/ Victoria Police Traffic Incident Reports
- VicRoads information
- Victorian WorkCover Authority information.

More details about ROI and how obtain claims documentation free of charge is located on TAC's [website](#):

### **Subpoenas**

A subpoena (or summons) is an order of a court that requires the TAC to produce documents to court at a time and place described.

The TAC requests that any subpoena or summons directed to the TAC (irrespective of the issuing court or form of the subpoena) be served personally. In other words, it needs to be provided to the TAC at Ground Floor Reception by a process server. This is for the benefit of the issuing party. Documents sent by post or email risk delays, and are not guaranteed of reaching the intended recipient in time for the TAC to reasonably process and produce documents to Court within the time frame of the subpoena.

Subpoenas should be directed to:

The Proper Officer  
Information & Privacy  
The Transport Accident Commission

60 Brougham Street  
GEELONG VIC 3220

## Privacy

For details around how the TAC protects privacy see the TAC's [website](#).

## 4 Publications, Public Reports & Statistics

The Transport Accident Commission produces a wide range of publications, which can be accessed on the TAC's website.

If it is not possible to supply a publication as a downloadable file, the TAC will provide alternate means of obtaining a copy of the publication. Translations are available for some publications.

### Information Brochures and publications

Most requested brochures:

- Supporting you after a transport accident
- Common law protocols
- Vocational services panel
- Choosing an attendant care agency
- Impairment protocols
- Dispute resolution protocols
- Information for employers who had a staff member involved in a transport accident

Full copies of information brochures and publications can be found at <https://www.tac.vic.gov.au/clients/forms-and-brochures-clients/information-brochures>

### Road Safety

The TAC publishes its Road Safety Strategies and associated research and reports as follows:

Victorian road safety strategy:

- Victorian Road Safety Strategy 2021-2030
- Victorian Road Safety Action Plan 2021-2023
- Towards Zero 2016 – 2020 Strategy and Action Plan

Surveys and Research reports:

- Road Safety Monitor Final Report 2021
- Road Safety Monitor Final Report 2020
- Road Safety Monitor Final Report 2019
- Road Safety Monitor Final Report 2018
- Road Safety Monitor Final Report 2017
- Road Safety Monitor Final Report 2016
- Road Safety Monitor Final Report 2015
- Find a summary of the RSM 2021 on this infographic
- Motorcycle Client Research - On Road
- Motorcycle Client Research - Off Road
- Motorcycle Monitor Final Report 2021
- Motorcycle Monitor Report 2019
- Motorcycle Monitor Report 2018
- Motorcycle Monitor Report 2017

Full copies of these Road Safety Strategies can be found at <https://www.tac.vic.gov.au/road-safety/victorian-road-safety-strategy>

Full copies of these Surveys and Research reports can be found at <https://www.tac.vic.gov.au/road-safety/statistics/about-tac-surveys/road-safety-and-marketing-surveys>

For additional information on TAC campaigns, road users, staying safe, working with Victoria Police and road safety programs please visit <https://www.tac.vic.gov.au/road-safety>

### Statistics

The TAC publishes a broad array of statistics as a part of its Road Safety and Awareness functions. These relate to:

- Lives lost – Annual
- Live Lost – Year to Date
- Lives Lost – Rolling 12 Month
- Road safety Quarterly Statistics
  
- Statistics by Topic
  - [Road user statistics](#)
  - [Motorcycle crash data](#)
  - [Pedestrian statistics](#)
  - [Speed statistics](#)
  - [Seatbelt statistics](#)
  - [Crash location data](#)
  - [Lives lost by LGA](#)
  - [Vehicle occupant statistics](#)
  - [Bicycle rider statistics](#)
  
- TAC hospitalisation reports

Full copies of these statistics can be found at <https://www.tac.vic.gov.au/road-safety/statistics>

The TAC website also contains an online crash database that will allow you to extract data about lives lost and those seriously injured on Victorian roads over the last 5 years.

The searchable road trauma statistics can be located at <https://www.tac.vic.gov.au/road-safety/statistics/online-crash-database>

### Evidence Reviews

The TAC also publishes Evidence Reviews. These summarise the findings of a number of scientific research studies that have examined how well specific treatments work. Evidence reviews must be objective and not influenced by parties with vested interests.

- Primary Care Models of Care - A scoping meta review
- Early intervention after injury - A rapid review
- Identifying client needs - Worldwide evidence review
- Return to Work - A meta review
- Rehabilitation models - A scoping review
- Art Therapy 2018 - Full Report
- Art Therapy 2018 - Plain Language Summary
- Intrathecal infusions: Full report
- Neurostimulation: Full report
- Carpal Tunnel Release: Full report
- Epidural injections: Full report
- Other spinal injections: Full report
- Radiofrequency denervation: Full report
- Lokomat for Spinal Cord Injury: Full report
- Medicinal Cannabis - Evidence Review

- Lumbar spinal fusion: Full report
- Autologous Platelet Rich Plasma or whole blood injections for epicondylitis - Evidence Review Report
- Autologous Platelet Rich Plasma or whole blood injections for epicondylitis - ISCRR Evidence Review Summary
- Autologous Platelet Rich Plasma or whole blood injections for epicondylitis - Plain language statement
- Segmented rehabilitation for people after ABI
- Beds & Mattresses for Back Pain - Plain language summary
- Beds & Mattresses for Back Pain - Technical Report Appendices
- Chronic Pain Evidence Review
- Comparative effectiveness of counselling providers with different qualifications - Plain language summary
- Comparative effectiveness of counselling providers with different qualifications - Appendices 1-5
- Current & emerging assistive technologies Evidence Review
- Art Therapy 2012 - Plain Language Summary
- Art Therapy 2012 - Technical Report Appendices 1-5
- Models of supported accommodation for TBI - Evidence Review
- Personal Experiences Online - Evidence Review
- Rehabilitation in the Disability Context - Evidence Review
- The costs and benefits of end user engagement in disability research - Evidence Review
- TMS-for-Depression-Evidence-Review

Full copies of Evidence Reviews can be found at [Evidence Reviews - TAC - Transport Accident Commission](#)

#### Annual reports

A full list of TAC annual reports from 2001-2022 can be found at <https://www.tac.vic.gov.au/about-the-tac/media-room/annual-reports>

## **5 Policies and Procedures**

In addition to those policies work practices and procedures mentioned at section 1, the TAC also publishes policies and procedures with respect to the following.

- The TAC Service Charter
- The TAC Surgery Charter
- Protected Disclosures (Whistle blowers)
- Fraud and Compliance
- Prosecutions
- Procurement
- Use of its Corporate Logo and Branding
- Complaints and Appealing TAC decisions
- Client Surveys
- Providing Feedback

These can be [found](#) on the TAC's [website](#)

# Organisational Structure

February 2023

