

# SERIOUS INJURY APPLICATION FORM: COMMON LAW PROTOCOLS

## Submitting this form

Send your completed form to [protocols@tac.vic.gov.au](mailto:protocols@tac.vic.gov.au)

## Important notes

This form is to be used by lawyers requesting a serious injury certificate on behalf of a client under Part 6 of the *Transport Accident Act 1986* (TAA) and pursuant to the Common Law Protocols 2016

Please complete this form and provide all information and material in support of the application (not previously provided).

## Client details

Client name

Claim number

Date of birth

 /  / 

Date of accident

 /  / 

## Client's lawyer

Firm name

Firm address

  
  
 Postcode

Practitioner

Reference number

Fax number

Phone number

Email address

## Serious injury claims information

Please provide name(s) of all parties against whom a Common Law claim is proposed with registration details of vehicles (if known):

Defendant	Registration details

## Client's injuries

List the injuries relied on by the claimant and the relevant sub paragraphs of the definition of serious injury in Section 93(17) of the TAA.

Injuries	Sub- paragraph of Section 93(17)
1.	
2.	
3.	
4.	
5.	

If liability is admitted, do you intend to bypass impairment? ☐ Yes ☐ No

Is the claim limited to pain and suffering damages? ☐ Yes ☐ No

## Affidavit

Has an affidavit been sworn? ☐ Yes ☐ No

If yes, on what date was the affidavit sworn? Please attach the affidavit.

If no, please provide the reasons an affidavit has not been sworn.

## Schedule of documents relied upon

Please supply a full schedule of documents relied upon for this serious injury application.

This list should include any documents already sent to the TAC, for example during the claim lodgement or an impairment application.

## Supporting documentation

Please provide the following list of documents relied upon in the application (where appropriate), **only attaching copies where not previously provided to the TAC**.

### Accident Circumstances or liability reports

1.	4.
2.	5.
3.	6.

**Treating practitioner reports and material**

1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

**Medico-Legal reports****JME reports**

1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

Scar sight photos attached? ☐ Yes ☐ No

**Financial documentation**

1.	4.
2.	5.
3.	6.

**Additional information (e.g. list of documents relied upon, school reports, lay affidavits)**

1.	4.
2.	5.
3.	6.

**More information**

Do you intend on providing any additional information? ☐ Yes ☐ No

If yes, please provide details.

**Description of information****When it will be supplied**

1.	
2.	
3.	
4.	

**Other comments**

Other comments that would assist the TAC in making a serious injury decision (optional)

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## Guardian/Administrator

Has the client had an administrator appointed? ☐ Yes ☐ No

If yes, please provide supporting documentation.

## Workers compensation claim details

Does the client have an accepted WorkCover claim for this accident? ☐ Yes ☐ No ☐ Pending

WorkCover number

Has a serious injury application been lodged or is intended to be lodged with WorkCover?

☐ Lodged ☐ No

## Reasons why the subject accident meets the definition of a transport accident

Please provide reasons why the subject accident meets the definition of a transport accident.

## Details of the claimed negligent vehicle (if known)

Registration

Make

Model

Any other identifying features of the vehicle?

The form is completed on a without prejudice basis to promote the efficient administration of the Protocols and cannot be relied upon in any later Court or Tribunal proceedings (unless otherwise agreed).

## The TAC's privacy policy

The TAC respects the privacy of clients. The TAC will retain any information provided to the TAC as part of the JME process, and may use or disclose that information to make further inquiries or assist in the ongoing management of the client's TAC claim. The TAC may also be required by law to disclose any information provided to the TAC.

If you require further information about the TAC's privacy policy, please call the TAC on 1300 654 329 or visit our website at [tac.vic.gov.au/yourprivacy](http://tac.vic.gov.au/yourprivacy)