



LAW
INSTITUTE
VICTORIA

29 February 2016

Dear Practitioner,

The Transport Accident Act Protocols

The Transport Accident Act Protocols (the Protocols) are changing on 1 July 2016.

Why change?

In 2005, the Protocols were established by agreement between the Australian Lawyers Alliance (ALA), Law Institute of Victoria (LIV) and Transport Accident Commission (TAC). The Protocols were designed to provide an efficient, expeditious and transparent process to deliver appropriate compensation to TAC claimants and to minimise disputes and lengthy litigation.

Over the last 10 years, the Protocols have successfully reduced the time taken to deliver common law compensation to TAC claimants with over 90% of common law matters resolved within 12 months of serious injury decision. Over 80% of common law cases and no fault disputes are resolved through the Protocol processes.

In recent months, representatives of the ALA, LIV and TAC have been working together to identify and consider a number of changes to enhance the operation of the Protocols and further improve the efficient and effective delivery of outcomes for TAC claimants.

The representatives of the ALA, LIV and TAC have revised the terms of the Protocols, which include the:

1. Joint Medical Examination Protocols;
2. Impairment Assessment Protocols;
3. Common Law Protocols; and
4. No Fault Dispute Resolution Protocols.

The revised Protocols have been endorsed by the ALA, LIV and the TAC, and will come into effect from 1 July 2016. This means that all Protocol applications lodged with the TAC on or after 1 July 2016 will be pursuant to the terms of the revised Protocols.

A copy of each of the revised Protocols and the increased price-points are **enclosed**.

Transition period

Applications lodged prior to 1 July 2016 will continue to be governed by the 2005 Protocols.

However, in order to support transition and avoid any potential delays for claimants, it has been agreed that the TAC will pay the increased price-points for all Protocol applications lodged on or after 29 February 2016.

The impairment bypass and serious injury conference uplifts will not apply until the revised Protocols commence on 1 July 2016.

The increased price-points will continue to apply to applications made pursuant to the revised Protocols on or after 1 July 2016.

Information sessions

The ALA, LIV and TAC are committed to supporting practitioners to understand the changes to the Protocols.

Information sessions are planned for the coming months at which the ALA, LIV and TAC will present a summary of the changes to the Protocols. There will also be an opportunity for attendees to ask questions about the revised Protocols.

Further details regarding these information sessions will be provided to you shortly.

Getting more information

If you have any questions about this letter you may contact the TAC via protocols@tac.vic.gov.au.

Yours sincerely

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Yours sincerely



Geraldine Collins
President of ALA



Nerida Wallace
CEO of LIV



Bruce Crossett
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Encl. Protocol agreements 2016

Protocol price-points 2016