



Hit by an Unregistered Vehicle? Your Rights to Compensation Explained.

If you are injured in South Australia due to a motor vehicle accident caused by an unregistered vehicle, you may still be entitled to compensation. In these cases, the Nominal Defendant, a statutory body established under the *Motor Vehicles Act 1959 (SA)*, steps in. The role of the Nominal Defendant is to act as the Compulsory Third Party Insurer when the at-fault vehicle is unregistered, uninsured, or the vehicle cannot be identified (for example in the case of a hit and run).

You must lodge a written notice of claim with the Nominal Defendant as soon as reasonably practicable after it becomes apparent that the at-fault vehicle is unregistered.

If you are not able to identify the vehicle or driver, you must report the accident to the police within a reasonable time (which is generally considered to be within 48 hours). Also make sure you obtain a police report number.

Seek medical treatment immediately following the accident. It is important to have a contemporaneous record of a medical provider documenting any injuries or symptoms you are experiencing as a result of the accident. Keep a record of the treatment you have as a result of your injuries including medical records, reports, certificates and receipts for medical expenses. You can submit these in support of your claim and seek reimbursement of any medical expenses you have

incurred.

Lodging a Claim

If the vehicle is unregistered or unidentified, contact the Nominal Defendant through the CTP Regulator. You can use the Motor Accident Injury Claim form available through the SA CTP Website. Complete and lodge the form. Be sure to include the police report number, any witness details, medical reports/records, and/or receipts for medical and treatment expenses you have incurred.

The Nominal Defendant will investigate and assess your claim. Compensation may include pain and suffering, medical expenses, economic loss and care expenses.

To make sure you get the compensation you are entitled to, it is important that you obtain legal advice.

If you would like more information or assistance with making a claim against the Nominal Defendant, please contact our office.