

Understanding commonly used terms in car accident claims

When making a personal injury claim after being involved in a car accident, often referred to in legal terms as a CTP claim, you will likely come across terms that are unique and frequently used in personal injury law and motor vehicle accident claims.

Below is a short guide of commonly used terms in the claims process, to assist you with understanding your personal injury matter.

CTP Insurance – Compulsory Third-Party Insurance

CTP insurance is not to be confused with comprehensive or third-party car insurance. CTP insurance covers personal injury claims arising from an accident involving the insured vehicle. As the name suggests, it is compulsory, and is included in the cost of registering a vehicle.

Comprehensive and third-party car insurance only concerns damage to someone else’s property or vehicle, and/or theft or damage to your own vehicle.

CTP Scheme – The Compulsory Third-Party Insurance Scheme

When paying the CTP insurance premium when registering a vehicle, the CTP Scheme provides cover if the driver of a vehicle causes injury or death to another road user through use of the vehicle anywhere in Australia.

CTP Insurance Regulator

The CTP Regulator is an independent South Australian Government body responsible for regulating and monitoring the South Australian CTP Scheme. Accident Report Forms, Injury Claim Forms, and Fatality Claim Forms can be found on the **CTP Regulator website.**

CTP Insurers in South Australia

The following insurers are approved by the government to provide CTP insurance:

- AAMI
- Allianz
- NRMA (previously SGIC)
- QBE
- Youi

When registering a motor vehicle in South Australia, you will have to pay the CTP insurance premium for one of the above providers.

MVA – motor vehicle accident

This is an umbrella term used to describe an accident involving one or more motor vehicles. **Read more about motor vehicle accident claims here.**

Heads of damage

Heads of damage is a term used to describe the different types of financial compensation that an injured person may be entitled to claim from the relevant CTP Insurer.

The different heads of damage that may be claimable are:

- **Non-Economic Loss** – damages for the pain and suffering that an injured person has experienced as a result of the motor vehicle accident.
- **Past Economic Loss** – past loss of earnings as a result of the effect of an injury on a person's capacity to work and earn an income.
- **Future Loss of Earning Capacity** – loss of a person's capacity to work and earn an income as a result of the ongoing effect of the injury.
- **Past Gratuitous Services/Voluntary Assistance** – compensation for services provided to

an injured person by a parent, spouse, domestic partner or child which but for the injury arising from the accident would not have been required.

- **Paid Services** – past and future paid domestic services (such as cleaners and gardeners) reasonably required as a result of the injuries.
- **Medical Expenses** – incurred and future expenses for reasonable treatment of the injuries sustained in the motor vehicle accident.
- **Special damages** – out of pocket expenses arising from the accident including medical, allied health, medication, equipment and travel expenses
- **Loss of Consortium** – damages to reflect the impact of an injury on the injured person's relationship with their spouse or domestic partner claimable by the spouse or domestic partner.
- **Superannuation** – loss of superannuation can be claimed on both past and future economic loss.
- **Interest** – Interest can be claimed on past economic loss, past loss of superannuation, and past gratuitous services.

IME – Independent Medical Examination

IME is an examination of the injuries, performed by an independent doctor whom the injured person has not been previously treated or assessed by.

ISV – Injury Scale Value

ISV is a measurement of the severity of an injury, valued on a scale of 0 to 100. The ISV applicable to an injury can impact the heads of damage you are entitled to claim.

WPI – Whole Person Impairment

The degree of impairment caused by an injury to the person's body as a whole, represented as a percentage.

GEPIC – The Guide to the Evaluation of Psychiatric Impairment for Clinicians

The Guide to the Evaluation of Psychiatric Impairment for Clinicians is used by Accredited Medical Practitioners when determining the level of psychiatric impairment.

ISV Medical Assessment

This refers to an IME performed by an Accredited Medical Practitioner to determine the ISV of a person's injury(ies). An Accredited Medical Practitioner will complete a WPI assessment for physical injuries or a GEPIC assessment for psychiatric injuries, to assist in determining the ISV of an injury.

AMA5

The American Medical Association Guides to the evaluation of permanent impairment, 5th edition is used by Accredited Medical Practitioners when determining the percentage of whole person impairment of an injury.

SLE Date – Statute of Limitations Expiry Date

For personal injury claims, an injured person normally has three years from the date of the subject accident to commence any legal action. Different rules apply for children.

How can Andersons Help?

If you or someone you know has been injured in a motor vehicle accident and are looking at commencing a CTP claim, it is recommended to seek legal advice to better understand your entitlements.

At Andersons, we offer a free, no obligation 30 minute interview to understand your personal circumstances. This allows us to provide you with advice on the likelihood of a successful claim, legal fees and the process to obtain compensation. **Contact us** for more information or to book a first free appointment.

Meet our personal injury lawyers here.

The information in this article is general in nature and was accurate at the time of publication. Laws and circumstances can change. For advice specific to your situation, please seek professional legal advice.