



Extension of Victorian TAC compensation Entitlements for Cyclists Becomes Law!

In welcome news, the *Treasury and Finance Legislation Amendment Act 2018* (“the Act”) has now been passed into law by the Victorian Parliament and come into operation. The Act amends the *Transport Accident Act 1986* to extend Transport Accident Commission (“TAC”) compensation entitlements to cyclists injured in accidents involving stationary motor vehicles.

By amending the *Transport Accident Act 1986*, the Act has corrected the anomaly which previously existed in the law that cyclists were only entitled to TAC compensation entitlements if they were involved in a collision with a moving motor vehicle, a car door or a stationary motor vehicle on their way to and from work but **not** from a collision with a stationary motor vehicle. From 26 September 2018 injured cyclists such as Mr Rory Wilson, who suffered a serious accident on 9 July 2014 when he collided with a stationary truck whilst riding a bike, will now be entitled to compensation if they are injured in a collision with a stationary motor vehicle. The Act also:

- Removes the mandatory requirement for the TAC to conduct a review of a person’s entitlement to Loss of Earnings Capacity Benefits at least once in each 5-year period;
- Provides that the TAC is liable to make payments not exceeding \$10,000.00 per claim to the parent or parents of a dependent child if their child is admitted to hospital and because of visiting their child in hospital, the parent or parents incur a loss of wages for more than 5 days;
- Increases the travel and accommodation expenses payable by the TAC claims for members of the immediate family visiting an injured person in hospital from \$10 000 to \$20 000;
- Inserts a new liability for the TAC to pay the professional administration costs of a Court or Tribunal appointed administrator if the administrator incurs professional administration costs in respect of a person's compensation;



- Amends Victorian WorkCover law so that if a worker makes an impairment benefits claim and subsequently dies, compensation is to be paid to the worker's estate; and
- Amends Victorian WorkCover law to extend coverage for claimable expenses for a worker's relatives to grandparents; and
- Amends the Victorian WorkCover law to increase the family and travel accommodation cap for relatives of injured workers from \$5,000.00 to \$20,000.00.

BP Lawyers welcomes the passing of the Treasury and Finance Legislation Amendment Act 2018 and the extension of benefits it provides for Injured Victorians! Should you be injured in a TAC or WorkCover claim, BP Lawyers can provide you with legal advice on your WorkCover or TAC entitlements. BP Lawyers are committing to providing our clients with the best legal advice to assist those injured to gain much needed compensation quickly and affordably!

The information contained in this document is for general purposes only and does not constitute legal advice.