



Request for Compensation

Note - The provision of this form and/or the acceptance of the completed document, does not represent an admission of liability or guarantee your request for compensation will be accepted

Please tick boxes where appropriate

Please select the compensation being sought:

Property Damage Personal Injury Motor Vehicle Other

1. Contact Details

Title: Mr Mrs Ms Miss

Full Name:

Telephone No: Mobile No:

E-mail:

Address:

State: Postcode:

2. Date and Time of Incident

Date of Incident: Time of Incident:

3. Weather Conditions

Conditions (E.g. Dry, Windy, Raining, Sunny):

4. Location of Incident

Address:

State: Postcode:

Request for Compensation

4. Location of Incident *cont...*

Please provide details of the exact location with supporting photographs and marking depicting the area in question:

If the location is unclear please provide a sketch to assist us in our investigations.

5. Introduction

If you are seeking compensation for loss or damage arising from an incident, which you believe has been caused by negligence on behalf of Council, National Claims Solutions will investigate the circumstances surrounding the incident to establish whether or not Council has any legal liability.

Please note, this is not a claim covered by an insurance policy.

6. The Road Management Act 2004

Does your claim for property damage arise from the condition of the Roadway/Footpath? Yes No

If yes, please be advised, the provisions of the Road Management Act 2004 require an individual or company seeking compensation for property damage arising from the condition of the roadway, to pay the first \$1,430.00 of any claim, regardless of liability (includes motor vehicles, clothing, glasses etc).

Does your request for compensation exceed this amount? Yes No

For further information: http://www.austlii.edu.au/au/legis/vic/consol_act/rma2004138

7. Incident Details

Please provide details of the incident and why you believe Council is liable:

Request for Compensation

8. Compensation Sought

Please provide details of the compensation sought:

Amount: \$

Is the total GST Inclusive? Yes No

There is no insurance policy available that responds to you as a Third Party in these circumstances. All claims are assessed on their own merit and any payments made will come from ratepayer's money.

9. Insurance Details

Have you claimed against your insurer? Yes No

Insurance Provider:

Claim / Policy Number:

Contact Name:

Contact Number:

10. Witness

Did anyone witness the incident? ***(If yes, please provide their details):*** Yes No

Contact Name: Contact Number:

Full Name:

Telephone No: Mobile No:

E-mail:

Address:

State: Postcode:

Request for Compensation

11. Evidence

In order to succeed in your request for compensation you will be required to establish that Council caused the alleged loss and/or damage through some form of negligence. In any public liability claim the burden of providing proof of negligence rests with you as the person seeking compensation, neither Council nor National Claims Solutions can assist you in this.

Please explain any evidence you are supplying:

Is the evidence referenced attached to this document? Yes No

12. Photographs

One of the most effective ways to avoid confusion about the circumstances surrounding your claim is through the use of photographs. Without this information Council is unable to be sure it is investigating the correct issues.

Please provide a minimum of 3 photographs in support of your claim.

Your photographs need to show the following:

- The area of property that has sustained damage,
- A clear marking on the photo showing an area where a trip and fall occurred,
- Clear photographs of roots and trees if you are making a tree root claim,
- Photos of injuries if relevant,
- A variety of shots and angles to clearly show the situation.

Disclaimer

Completion and acceptance of this form does not represent an admission of liability on the part of Council and/or their insurers. Your claim will be subject to investigation and the findings assessed on their own merits.

As all claims are assessed on their own merits, it can take some time to collate all the relevant information before we are in a position to make an accurate decision on liability. The process takes approximately 4-6 weeks; however, this timeframe can be longer due to delays in obtaining information and other factors beyond Council's control.

National Claims Solutions will endeavour to respond to claims as quickly as possible, but claims brought in negligence are often reliant on various sets of information and, therefore, assessment may take some time to complete.

Council complies with all its obligations under the provision of the Privacy Act and is committed to transparency and integrity in all its activities and programs. All information you supply is treated as private and confidential.

Please Print Name:

Signature:

Dated:

On completion of this form, please return to the following address:

Council Use Only

Council:

Council Reference:

Received by:

Dated:

Council's notes for National Claims Solutions:
