



Information for motor vehicle owners and drivers

CTP INSURANCE
REGULATOR

What is CTP Insurance?

Your Compulsory Third Party (CTP) insurance is paid at the same time as your motor vehicle registration – and just as registration of your vehicle is compulsory, so is CTP insurance.

Paying your CTP insurance premium provides cover under a compulsory Policy of Insurance, set by the CTP Regulator.

The Policy of Insurance provides the same cover for all South Australian registered motor vehicle owners regardless of their CTP Insurer. It is determined by the CTP Regulator and is available on the Regulator's website at www.ctp.sa.gov.au.

What is covered?

The Policy of Insurance protects you (and other people who use your registered and insured vehicle, with or without your consent) against the financial impact of causing injury or death to other road users through the use of your vehicle anywhere in Australia. Serious injuries can cost hundreds of thousands of dollars, so it's important that you as an owner or driver are protected from having to personally pay these expenses.

If an unknown or unregistered (and therefore uninsured for CTP) vehicle is involved, the CTP Regulator will provide cover under the Nominal Defendant Scheme.

Support for injured children

The CTP Scheme provides cover for the necessary and reasonable treatment, care and support of all children under the age of 16 years injured in an accident that occurred in South Australia on or after 1 July 2013.

This cover is available regardless of who is at fault and whether the at-fault vehicle is registered in South Australia or interstate.

About CTP Insurance

A child under 18 years of age at the date of the accident may also be entitled to claim for compensation if they were not at fault in the accident. Talk to your insurer if you would like more information about a child's eligibility.

Lifetime Support Scheme

If you sustain very serious, lifelong injuries in a motor vehicle accident, which occurred in South Australia on or after 1 July 2014, you may be entitled to necessary and reasonable treatment, care and support under the Lifetime Support Scheme (LSS).

Eligibility is determined by your injury, regardless of whether you or a South Australian registered motor vehicle were at fault.

Types of very serious injuries include:

- Paraplegia and quadriplegia
- Brain injury
- Severe burns
- Amputation
- Blindness

Applications are submitted directly to the Lifetime Support Authority (LSA). Further information about the LSS can be found online at

www.lifetimesupport.sa.gov.au or by contacting the LSA by telephone on **1300 880 849**.

Depending on your circumstances, you may be eligible to lodge a CTP claim for compensation as well as a claim under the LSS.

What is not covered?

CTP insurance does not cover an injured driver who is entirely at fault. It also does not cover damage to property (including vehicles).

Other example situations where you are not covered include:

- Participating in a road race and causing injury or death to another participant in the road race.
- Being the rider of a bicycle who is at fault for injuring another road user.
- If you are involved in a single car accident. For example, if you hit a tree or an animal (with the exception of very serious, lifelong injuries which may come under the Lifetime Support Scheme).

If you fail to perform the obligations outlined in the Policy of Insurance and your conduct causes an injury, the insurer has the right to potentially recover from you the costs of injury claims arising out of that accident.



About CTP Insurance

Obligations under the Policy of Insurance include **not**:

- driving while under the influence of alcohol or drugs
- driving dangerously
- intentionally causing injury
- driving a vehicle without the owner's permission
- driving without holding a current driver's licence
- driving an unroadworthy or overloaded vehicle
- committing an offence against Section 43 of the *Road Traffic Act 1961* (hit and run).



How are CTP premiums set?

The CTP Regulator determines CTP insurance premiums.

Premiums are determined on the basis of one or more of the following:

- Vehicle type
- Vehicle use
- Garaging location
- Entitlement under the GST law to an input tax credit in respect of compulsory third party insurance premiums.

The vehicle type and use is accounted for within each premium class. The insurance districts are used to determine garaging location for the premium classes where garaging location applies. Input tax credits may apply if a vehicle is used for business purposes.

Owners of a particular class of vehicle all pay the same premium based on the claims experience of that class, regardless of individual driver history or driving patterns. This model supports affordability for all motor vehicle owners.

Your CTP premium is made up of the CTP insurer premium for the Policy of Insurance, the CTP Scheme services fee that funds government services to support the Scheme, stamp duty and GST.

Several other compulsory fees and levies are collected at the same time as you renew your vehicle registration, which are the responsibility of other government agencies.

How CTP premiums are set

The Regulator sets upper and lower premium limits for each premium class to ensure premiums are sufficient to meet the cost of CTP injury claims and that there is fairness in how motor vehicle owners fund the Scheme.

These limits can be reset should conditions change, such as if the number of claims or the cost of claims change.

CTP Insurers set their own CTP premiums for each premium class within these limits set by the Regulator.



What if I am responsible for an accident where someone else is injured?

If you were driving the at-fault motor vehicle in an accident and someone else was injured, you must notify the insurer of the vehicle as soon as possible by completing an Accident Report Form.

You can access this form on the CTP Regulator website at **www.ctp.sa.gov.au** or request a printed copy from the Regulator on **1300 303 558** or from the insurer.

Under the *Motor Vehicles Act 1959* you are required to cooperate with the insurer and give written notice of the accident as soon as practicable. A substantial penalty applies if you do not do so.

What if I drive an uninsured vehicle?

It is an offence to drive a vehicle that is unregistered and uninsured for CTP, and you risk incurring penalties.

In South Australia, a significant financial court penalty applies for driving an uninsured vehicle under Section 102 of the *Motor Vehicles Act 1959*.

If you cause injury to another person while driving an uninsured vehicle, they can make a claim under the Nominal Defendant Scheme, and you may have to reimburse claim costs.

I am injured in an accident where I am at fault. Can I claim for my injuries?

In most cases, you are unable to make a claim for your injuries if you are entirely at fault. However, there are certain circumstances where claims may be accepted, for example where two drivers are equally at fault.

If you are unsure, you can lodge a claim with the insurer of the other vehicle you think contributed to the accident.

Frequently asked questions

If you sustained very serious, lifelong injuries in a motor vehicle accident where you were at fault, you may be entitled to necessary and reasonable treatment, care and support under the Lifetime Support Scheme (LSS). Eligibility is determined by your injury.

Applications are submitted directly to the Lifetime Support Authority (LSA). Further information about the LSS can be found online at www.lifetimesupport.sa.gov.au or by contacting the LSA by telephone on **1300 880 849**.



What are my treatment options if I'm not eligible to make a claim?

If you have been injured and aren't eligible to make a CTP claim or make a claim with the LSS, you can access treatment through the public health system or you may be covered under your private health insurance policy (if you have one).

You can also talk to your GP about services that may be available to you, such as:

- a GP mental health treatment plan
- treatment sessions funded through Medicare.



Frequently asked questions

What other involvement do I need to have in the claim process?

After completing the Accident Report Form and submitting it to the insurer managing the claim (or the CTP Regulator) you may be required to provide further details relevant to the accident such as property damage insurance documents, police statements and/or access to your vehicle.



For more information

CTP Regulator

Enquiries Line: Phone: 1300 303 558
Fax: 1300 617 531

Postal Address: GPO Box 1095 Adelaide SA 5001

Email: ctp@sa.gov.au

Website: www.ctp.sa.gov.au

Office Hours: 9:00am to 5:00pm Monday to Friday

Lifetime Support Authority

Phone: 1300 880 849

Website: www.lifetimesupport.sa.gov.au

Interpreting Services

If you need an interpreter when contacting the Regulator, please telephone the Interpreting and Translating Centre on **1800 280 304** and ask to be connected to the Regulator on **1300 303 558**, between 9:00am and 5:00pm Monday to Friday, excluding public holidays.

Disclaimer

The contents of this document are for general information only and not intended to constitute professional advice or be used as a legal document. Its aim is to set out, in simple form, a summary of the Compulsory Third Party Insurance Scheme in South Australia and should not be taken as precise legal interpretations of the law. While the CTP Regulator has taken all reasonable care in the production of this brochure, no warranty is made as to the accuracy, currency or completeness of its contents and no liability is accepted for any loss, expense or liability, however arising, as a result of use of or reliance upon the contents at any time.

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