

What's the law?

Australian law for new arrivals

Answer sheet 3: Car accident

July 2011

Requirements: A copy of the DVD.

Pre-teaching

Vocabulary: accident, comprehensive, details, expensive, insurance, lawyer, registered, registration, separate, third party.

Warmer activity to introduce topic: Class survey: *Who has a car? If yes: What type of car? What type of insurance do you have?*

Key Messages

1. Each driver involved in a crash must stop and give the other driver their name, address and car registration.
2. In some states, there may be a requirement to contact the police after an accident, even when no-one is injured. Phone the police as soon as possible to find out if you have to report an accident. **Do not** admit to being at fault.
3. When you pay your car registration, you pay for compulsory third party (CTP) insurance. This is used to compensate people who are injured in car accidents. It does not pay for any damage to cars or property.
4. Third party property insurance pays for damage to another person's car or property caused in an accident. Third party property insurance does not pay for any damage to your car. Third party property insurance is different from CTP, and you must buy it and pay for it separately from your car registration.
5. Comprehensive insurance is more expensive than third party property insurance, but it means the insurer will pay for the damage to the other person's car and to your car if you have an accident.
6. It is a good idea to at least have third party property insurance. If you don't have insurance, you will have to pay for any damage to the other person's car yourself. If you have insurance, then the insurance company will pay.
7. If you have a car accident and you do not have insurance, you should get free legal advice. A lawyer may negotiate with the other driver and their insurance company on your behalf.
8. If you get a letter from an insurance company demanding you pay, speak to a lawyer straight away to get some advice before you talk to the insurance company or pay anything. The lawyer will advise you whether you have to pay, and how much you should pay.
9. If you are injured in an accident you may be able to get money to help pay for medical and other costs, and for any wages you lost because you couldn't work. This is called compensation. There are time limits for applying for this money. Find out more by calling a lawyer.

Answers

Activity A

1. car accident 2. no 3. \$2,000

Activity B

1. false 2. true 3. true 4. false 5. true 6. false

Activity C

1. comprehensive insurance 2. compulsory third party insurance 3. third party property insurance

Activity D

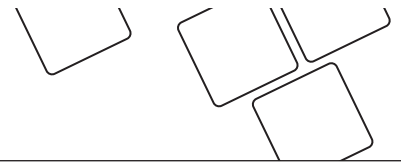
1. stop 2. exchange details 3. personal injury 4. car
5. more expensive

Activity E

Discussion

Activity F

Check last slide in the DVD for the best place to get free legal help.



Script for Car accident story

Maryam Do you want to get some lunch before or after we shop?

Sanda I'm a bit hungry, let's get a ... *sound of brakes then...SMASH*

Maryam Oh my goodness! I hit that car! Let's get out of here... the guy's not hurt!

Sanda Maryam! What are you doing? You have to stop when you have an accident!

Driver You idiot! Look at my car! You'll have to pay! I hope you have insurance.

Sanda It's OK. No-one's hurt. Here are my friend's details. Can you give us your name and address as well?

Maryam Do I have to tell the police?

Sanda Hmm...I'm not sure. Let's phone the police and ask them.

Maryam Phew, lucky I got my car registered. The insurance will pay to fix the car.

Sanda No! The insurance you get with your registration is called compulsory third party insurance. It pays for people who get hurt. You need to have separate insurance for car repairs.

Maryam Oh no!

A few weeks later

Maryam Sanda? Hi, this is Maryam. Hey, remember that car accident? I just got a letter from that guy's insurance company.

Sanda What does it say?

Maryam I have to pay \$2,000 in 14 days! I can't pay that! What can I do?

Sanda You need to see a lawyer Maryam.

Maryam Can you help me with this?

Lawyer Well, I'll write to the insurance company – we'll find out *if* you should pay and if you should, how much.

Maryam Oh thank you.

Lawyer And...you really should get car insurance.

Maryam But it's so expensive!

Lawyer Well, you can get third party property insurance which pays for damage to the other car. That is quite cheap. But if you can pay a bit more, and you've got a good car, get comprehensive insurance.

Maryam What's that?

Lawyer That means the insurance pays for damage to the other car and to your car. But...make sure you look around to get a good price.

Maryam OK, thanks so much for your help.

Lawyer I'll be in touch when I hear from the insurance company.