



Complete Guide to TAC Benefits After a Transport Accident

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If you've suffered injury in a road accident in Victoria and you have an approved claim from the Transport Accident Commission (TAC), you may be entitled to a number of benefits. We have previously written, in detail, about a range of benefits, however, this blog provides an overview (one-stop-shop) of all the types of benefits you may be entitled to receive should you have an approved TAC claim.

Loss of earnings

If you have been unable to work due to injuries sustained in a motor vehicle accident, you may be entitled to lost earning benefits.

Loss of earnings is provided by the TAC to compensate you for your reduced earning capacity as a result of your accident. The TAC may provide you with up to 80% of your pre-injury earnings, capped at a maximum which is annually indexed. Should you return to work at a reduced capacity, the TAC is able to continue to provide you with partial support until you return to your pre-injury earning capacity.

To learn more about TAC loss of earnings, read our previous blog, ["TAC Loss of Earnings \(LOE\) benefits after a motor vehicle accident"](#).

Calculating TAC loss of earnings benefits for self-employed and seasonal workers

If you operate as a sole trader or an employee who works seasonally, you are still able to receive lost earning benefits after a motor vehicle accident.

When calculating your lost earnings, the TAC will take into consideration your taxable earnings of the three years prior to your injury. They may also consider how much it will cost for you to hire a replacement if you are self-employed. Should your business be less than three years old, the TAC will look at all the income that you have generated for the period that your company has been operating.

It is important to keep in mind that the TAC will not take into consideration any income made in cash, any income that has not been declared to the Australia Tax Office, money from dividends or any income you may have received from interest.

Medical and like expenses

For the first 90 days after a road accident, without the need for approval, the TAC will provide payment for certain automatically approved services or treatment associated with your accident.

Examples of TAC-approved treatments and services include:

- hospital treatment (private or public);
- rehabilitation services;
- allied health;
- physical therapy;
- specialist or GP appointments;
- necessary equipment (wheelchair or crutches);
- scans or x-rays;
- dental;
- psychologist and counselling services;
- community nursing;
- medication; and

Should you require any further treatment or services after 90 days, you or your treating doctor will need to seek approval from TAC regarding the above treatments.

You can read more details about these benefits in our earlier blog, [“TAC entitlement to medical and like expenses after a motor vehicle accident”](#).

Are there treatments or services that require prior approval from the TAC?

Regardless of whether you are within 90 days of having your accident, there are services and treatments that are not automatically approved by the TAC.

Examples of services and treatments that require prior approval from TAC include:

- vehicle and home modifications;
- cleaning services;
- childcare;
- memberships (swimming or gym);
- massage therapy;
- attendant care;
- transport services (taxi or Uber);
- surgery three months after your accident; and
- new or non-established treatments/procedures.

This is not to say that the services and treatments mentioned above won't be approved, but more so that you or your treating doctor will need to contact the TAC regarding the above and obtain approval for the service or treatment.

Transport and accommodation benefits

If you have been approved for a medical treatment or service, this means that you are also covered for the following:

- Travel to and from the services or treatment; and
- Up to 24 weeks of travel to work or a maximum of \$1,730.00.

Should you require assistance to attend such treatments or services, TAC will cover the travel and accommodation expenses for immediate family members who may live more than 100km away to visit you.

To be classified as an immediate family member, you must be either the injured individual's parent, sibling, child or partner.

Interpreter benefits

Should you also require an interpreter or a translator, TAC will pay for a National Accreditation Authority for Translators Interpreters accredited interpreter service who may assist you with booking your medical treatments.

Permanent impairment benefit – lump sum compensation

If you have suffered a physical or psychological injury as a result of your transport accident and that injury becomes permanent, you may be entitled to an impairment benefit claim (lump sum compensation).

To be successful in an impairment benefit claim, your permanent injury must be assessed at 11% or more whole-person impairment.

In addition to a permanent impairment benefit, if the motor vehicle accident was not your fault (someone else's negligence caused the accident) and your injuries are permanent, you may also be entitled to common law damages (compensation) for pain and suffering and economic loss.

You can read more about [TAC common law claims here](#).

Death benefits

If your loved one has passed away as a result of injuries sustained in a road accident, there are a number of benefits that the TAC may be able to assist with.

If the deceased's parent, sibling, child, partner, grandparent or grandchild requires counselling, TAC is able to cover up to \$20,000.00* for family counselling support.

Should immediate family members who are living 100km or more away require travel and accommodation to attend a funeral, cremation or burial service within Australia, TAC may reimburse them up to \$6,290.00* for such expenses.

TAC may also pay up to \$18,860.00* (including GST) for reasonable funeral and monument costs within Australia.

** figures are current as of March 2025 and are regularly indexed.*

TAC compensation and benefits for minors

For the purposes of a TAC claim, a minor is a person:

- under the age of 18; and
- who is not an "earner" under the Transport Accident Act 1986.

Minors are entitled to the same medical and like expenses as any other injured road user.

If an injured minor has suffered a greater than 10% impairment (i.e. 11% or more), they may be entitled to "additional benefits" in the form of weekly payments after the first 18 months of their accident until they reach the age of 18 or until their impairment ceases, whichever comes first. These are not "loss of earnings" payments (as referred to above) and are calculated differently. TAC will make these payments to the parent or guardian of the minor for the purpose and benefit of the minor's needs.

If you are a dependent child who requires hospital treatment or services, TAC will also cover your parent or guardian's travel and accommodation to allow for hospital visits.

To be considered a dependent child, you must either be under the age of 18 or between 18 and 25 years of age and be either a full-time student or an apprentice.

What benefits are you unable to receive from the TAC?

While the TAC covers a large portion of treatment and services within 90 days of your accident, it is important to note that even outside this 90-day period, there are certain things that are very unlikely to be approved or considered by the TAC.

Some services and treatments TAC are unlikely to cover include:

- treatment or services unrelated to the transport accident;
- treatment provided outside Australia;
- a treatment or service submitted outside the time limit of payment;
- cancellations/non-attendance payment for appointments you make;

Get help from a TAC lawyer

If you've been injured in a motor vehicle accident in Victoria and you have an accepted TAC claim, your benefits should commence and continue for the period you are providing medical evidence that you require such benefits. However, if you are in dispute with TAC or you receive an adverse decision (e.g., payments to cease, medical expenses not covered etc.), you should seek legal advice immediately.

At Guardian Injury Law, we offer an initial free consultation and run cases on a 'no win, no fee' basis. So, it costs you nothing to find out where you stand.

Contacting Guardian Injury Law

[1300 700 761](tel:1300700761)

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This article is of a general nature and should not be relied upon as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.