

INSTRUCTIONS FOR THE NOTICE OF CLAIM FOR DAMAGES

PLEASE READ CAREFULLY BEFORE PROCEEDING FURTHER

The **NOTICE OF CLAIM FOR DAMAGES** is divided into seven (7) Sections.
For injuries sustained **on or after 1 July 2001 and before 1 July 2003**, Sections 1-5 (inclusive) and Section 7 apply.
For injuries sustained **on or after 1 February 1997 and before 1 July 2001**, Sections 2-6 (inclusive) apply.

Section 1: Non-Compliance with section 280 and urgent proceedings (refer s280A of the Act)

Section 1 comprises questions 1 and 2.

- This Section is to be completed only by a claimant:
 - a) whose date of injury is **on or after 1 July 2001 and before 1 July 2003**; and
 - b) who has an urgent need to commence proceedings; and
 - c) who is not able to lodge a complying Notice of Claim for Damages.
- The claimant should complete the Notice of Claim for Damages form with as much information as is available. That is, the claimant must complete as many questions as possible from sections 2-5 and section 7.
- The Notice of Claim for Damages must be signed either by the claimant or the claimant's lawyer if it is not reasonably practicable for the claimant to do so. For this, refer to Section 7 **Declaration**.
- The Notice of Claim for Damages may be **faxed** to the insurer in accordance with section 74A of the *WorkCover Queensland Regulation 1997*. Refer to the **General Information** sheet for details.

Section 2: Claimant/Event Details

Section 2 comprises questions 3-48. The claimant must complete all relevant questions. The only exception is if the claimant's circumstances come within Section 1 above, in which case the claimant is required to answer the question as fully as possible on the information available to the claimant.

Section 3: Income Statement by Worker

Section 3 comprises question 49. This section is only required to be completed if a claim is for past economic loss or diminished earning capacity. For a claimant to whom Section 1 applies, the claimant is required to complete this section to the extent to which the claimant is able.

Section 4: Liability

Section 4 comprises questions 50-57. This section is to be completed by all claimants. The only exception is if the claimant's circumstances come within Section 1 above, in which case the claimant is required to answer as many questions as possible on the information available to the claimant.

Section 5: Amount and Calculation of Damages

Section 5 comprises question 58. This section is to be completed by all claimants. The only exception is if the claimant's circumstances come within Section 1 above, in which case the claimant is required to answer the question as fully as possible on the information available to the claimant.

Section 6: Declaration

This **Declaration** is required to be completed by the claimant where the date of injury is **on or after 1 February 1997 and before 1 July 2001**.

Section 7: Declaration

This **Declaration** is required to be completed where the date of injury is **on or after 1 July 2001 and before 1 July 2003**. It may be signed either by the claimant or the claimant's lawyer if it is not reasonably practicable for the claimant to do so.

PLEASE NOTE:

- **If there is insufficient space on the form, you may attach separate sheets.**
- **If you attach separate sheets, please:**
 - clearly indicate the Section number;
 - clearly indicate the question number; and
 - sign each sheet
- **If a question does not apply, please indicate by writing "n/a" (ie not applicable) in the relevant area.**
- **Use BLOCK LETTERS and tick boxes where appropriate.**