

BIKE INJURIES & PUBLIC LIABILITY CLAIMS FACT SHEET

If you are injured in an accident, and a car was not involved, you may be able to make a Public Liability claim.

1 What should I do at the scene?

Firstly, seek medical attention. Call emergency services or ask someone else to if you can't. Your safety is always a priority.

Next, and if you are able to do so, identify anyone else involved (including witnesses). Exchange details with them, including names, registration details, phone contact details and any other relevant information. Maurice Blackburn and Triathlon Queensland have Accident Crash Cards that you can use to assist in obtaining the correct details.

You should also take photographs of the accident scene if you are able to.

2 What are the steps involved in lodging a public liability claim?

Step one: Obtain treatment

Make sure you obtain treatment for your injuries as necessary. For medical expenses incurred as a result of the injuries sustained, you can make claims on Medicare Australia and your private health insurer (if any). Retain copies of all invoices and receipts - this may help with your claim later on.

You should keep a record of the dates that you're unable to work. If required, utilise your leave entitlements.

Step two: Assess the incident

Do not repair your bike if it is damaged in the accident. Retain it in the state it was in immediately following the accident and take photos to document the damage.

If your accident was caused by a fault with your bike, notify the manufacturer and the retail outlet where you purchased the bike. Do not give the bike to the manufacturer or retail outlet to inspect - seek legal advice first.

If your accident was caused by an environmental hazard, such as a pothole in the roadway or a drainage grate which can trap the bike wheel, contact the local Council in writing to inform it of your accident, identifying the hazard and location.

Step three: Seek advice

Contact Maurice Blackburn, who will assist you to complete and lodge the claim form and seek what benefits you are entitled to under the member insurance cover.

3 How can Maurice Blackburn help me?

Our preferred legal partner is Maurice Blackburn Lawyers.

Maurice Blackburn has specialist lawyers who can help you manage the claim process.

As a Triathlon Queensland member, you are entitled to:

- Free initial advice for you and your immediate family members
- A free consultation with a specialist personal injury lawyer
- Initial advice for property damage claims and how to navigate the QCAT process

Maurice Blackburn usually acts on a no win, no fee basis. For legal advice at any stage of your claim, call us for a referral to Maurice Blackburn.

Did you know?

- **Bike accidents that do not involve a motor vehicle can fall under the public liability or product liability umbrella. In either case, the accident must involve negligence on the part of a third party, be it a Council for failing to repair a hazard or a bike manufacturer for the failure of a component on the bike. If there is no negligence by a third party which caused or contributed to the accident, then there is no claim.**
- **If you have an entitlement to lump sum compensation, then part of that claim would include your medical and like expenses and loss of income.**
- **Maurice Blackburn provides a free first consultation and usually acts no win, no fee. For legal advice at any stage of your claim call 1800 810 812.**