

Personal Injuries Assessment
Board

A GUIDE FOR
INJURED PARTIES

PERSONAL INJURIES
ASSESSMENT BOARD

Your Claim – Your Call
1890 829 121

The Personal Injuries Assessment Board
P.O. Box 8
Clonakilty
Co. Cork

Contact us at
Telephone: LoCall 1890 829 121
Monday to Saturday (8am-8pm)
or visit our website: www.piab.ie

...A 'WIN-WIN' SOLUTION...

The Personal Injuries Assessment Board (PIAB) is an independent statutory body set up by the government:

- to assess how much compensation may be given to someone (the Claimant) who has been injured when the person they hold responsible for their injury (the Respondent) does not dispute legal issues including liability;
- to reduce legal costs and other fees charged by experts involved in personal injury claims;
and
- to reduce the amount of time it takes to finalise a compensation claim.

PIAB awards the same levels of compensation as the courts but within a faster time frame and without associated litigation costs.

FREQUENTLY ASKED QUESTIONS

If I have been injured in an accident, am I entitled to claim compensation?

If you wish to seek compensation for injuries suffered in an accident, your options are as follows:

1. You can approach the person you hold responsible and attempt to resolve the matter with them,
or
2. You may submit a claim directly to PIAB.

Please be aware that there are time limits for making a personal injury claim. For further information, see sections below, "What is the time limit for submitting my claim?" and "Other points to note".

How do I apply to PIAB?

You can call us at **LoCall 1890 829 121** and we will assist you in preparing your application and will outline the documentation we require.

This includes:

- A completed Application (*Form A*).
- A medical assessment form (*Form B*) completed by your treating practitioner.
- Receipts and vouchers for any other financial loss you may have incurred, together with any other documentation you may consider relevant to your claim.
- If you have entered into correspondence with the Respondent following your injury, copies of this correspondence should also be included.
- Payment of €50 by cheque/postal order. This fee can also be paid by credit card or debit card.

*If you require any assistance in gathering the above details, we will assist you with completion of the Application over the phone. Please ring our Service Centre at **LoCall 1890 829 121 (Mon-Sat. 8am-8pm)***

An Application is available:

- by phone: LoCall 1890 829 121
- on our website: www.piab.ie
- or by writing to: PIAB, P.O.Box 8, Clonakilty, Co. Cork

What is the time limit for submitting my claim?

In most cases the time limit for submitting a claim is three years from the date of the accident. Under the Civil Liability and Courts Act 2004 this time period will reduce to two years from the 31st March 2005.

What happens when PIAB gets my Application?

PIAB will examine the Application and supporting documentation. When the Application is complete we will acknowledge in writing the date of receipt and confirm your Application number. We will also tell you what happens next.

What happens next?

PIAB will notify the person you hold responsible for your injury (the Respondent) of your intention to make a claim against them. If the Respondent agrees to the assessment of your claim, then we will proceed to make this assessment.

How is the compensation assessment made?

We assess compensation on the basis of the medical assessment form which you send us. We may also consider an independent medical examination if one is necessary because of:

- lack of clarity regarding the nature of the injuries sustained,
- or
- if there is an inconclusive medical opinion.

We then assess the claim based on all medical evidence provided and having regard to the Book of Quantum (see below).

An assessment may comprise General Damages and Special Damages.

What are General Damages?

General Damages cover compensation for pain and suffering resulting from injuries which you sustained in your accident.

What are Special Damages?

Special Damages cover areas such as wages, medical bills, out of pocket expenses and property damage. In serious cases there may also be future losses and/or expenses.

What is the Book of Quantum?

The Book of Quantum is a guide to compensation levels for particular injuries.

Note: The Book of Quantum is available on our website at www.piab.ie

What happens when PIAB completes the assessment?

We will let you and the Respondent know in writing the amount of the assessment.

As the Claimant, you have **28 days** to decide if you accept or reject the assessment.

- If you accept it, you must acknowledge this in writing to PIAB.
- The Respondent has **21 days** to accept or reject the assessment.
- If both parties accept the assessment, PIAB will issue an "Order to Pay". An Order to Pay has the same status as an award of Court.

If either party rejects the assessment, PIAB will send you an Authorisation to proceed to court if you so wish.

You should be aware that if you reject the assessment and legal proceedings issue, there may be costs implications for you.

What happens if I receive an Authorisation?

An Authorisation is a legal document issued to you which entitles you to pursue your action through the court system, if you so wish.

This is issued if:

- the Respondent has declined to let the case proceed to assessment from the outset
or
- the assessment has been rejected by either you or the Respondent.

Can I withdraw my claim?

If you wish to withdraw your claim from PIAB, you may do so. Legal advice should be sought before you withdraw your claim. You should be aware that if you withdraw your claim, you cannot resubmit the claim again nor initiate the claim through the court system. You must inform PIAB in writing of your decision to withdraw your claim.

Please contact us if you need help to make your decision.

Can I deal directly with PIAB?

Yes, you can deal directly with PIAB and there are no legal costs involved. Alternatively, you may choose to engage an agent (e.g. a solicitor) at your own expense.

Whether you deal directly with PIAB or choose to engage an agent the award levels will be the same.

Other Points to Note

It is advisable to notify the person you hold responsible for your injury within two months of the accident. Otherwise, under the Civil Liability and Courts Act 2004, there may be costs implications.

If you think that you may have a claim, it is important to submit your application to PIAB immediately.

AT ALL TIMES, IT IS OPEN TO THE PARTIES INVOLVED TO AGREE SETTLEMENT OF THE CLAIM AND YOU SHOULD ADVISE PIAB IF THIS OCCURS.

How can I contact PIAB?

If you have any questions regarding the PIAB process you can contact us at:

The Personal Injuries Assessment Board

P.O. Box 8

Clonakilty

Co. Cork

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Disclaimer: *This document is intended as a guide for Claimants and does not purport to be a legal interpretation of the Personal Injuries Assessment Board Act 2003 (the "Act"), or any secondary legislation made pursuant to the Act.*

AT A GLANCE... HOW PIAB WORKS

1 Claim notified by telephone
**1890 829 121 Monday to Saturday
(8am-8pm)** or by post to
P.O. Box 8, Clonakilty, Co. Cork.



2 PIAB can assist with completion
of application over the phone.



3 Application and Medical Assessment
Form submitted to PIAB.



4 PIAB send notification to person
responsible (Respondent).



5 Respondent consents
to PIAB assessment.



6 Assessment made and Claimant
and Respondent notified of same.



7 Both parties accept the assessment
and PIAB issue an Order to Pay.