

Cultural Daily

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Total and Permanent Disability (TPD) in Australia

Our Friends · Sunday, February 14th, 2021

If you are suffering major injuries that are decreasing your capacity to work, you may be entitled to claim Total and Permanent Disability compensation. Generally, TPD insurance can be claimed through your superannuation fund. TPD can cover you by paying a lump sum payment if you can support your claim strongly. The process might be frustrating and hard to deal with whilst suffering physical or mental injuries. You can bring a claim either by yourself or with the assistance of a [Total and Permanent Disability lawyer](#).

What is TPD insurance?

TPD insurance can be benefited through your superannuation fund once you sustain a major injury, leaving you totally and permanently disabled. Most people who have worked for a time will be covered by TPD insurance by their superannuation funds. TPD insurance will cover you by paying lump sum if you are suffering injuries above the degree specified on your policy.

The TPD insurance may cover you in 2 separate ways:

1. Your own occupation

If you are covered on your own occupation, TPD can compensate for your loss if you are unable to work again on your own occupation. However, usually being covered on your own occupation is outside super.

2. Any occupation

If you are covered on any occupation, your TPD insurance will cover you if it is unlikely to work again in any occupation regarding your work history, experience, education and training. Keep in mind that, the required threshold degree might be higher in this case.

Am I qualified to make a claim?

No matter if the injury occurred in your workplace or somewhere else, you are eligible to claim compensation from TPD insurance if your injuries prevent you to work. Although the content and the benefits will differ from an insurer to another, some of the requirements might be common on different policies. This may include:

- Your injuries are major injuries that significantly decreased your capacity to work therefore, it is unlikely to work again
- You meet the minimum whole person impairment degree specified on your policy
- You fulfil the time limitations on your policy if there is one.
- Inability to perform daily tasks
- Doctor statements on your ongoing treatments mentioning it is unlikely to get any better

How do I make a TPD claim?

Firstly, you should request a fine print of your policy and have it reviewed either by yourself or with a professional. If you choose to work with a lawyer, your lawyer must ensure you understand your entitlements specified on your policy.

1. Contact your super and explain them your health condition as well as telling them your intention to request compensation
2. Gather all the necessary and relevant documents indicating your injuries (the type and degree of them). This includes Medical Attendant Statements and certificate of release, invoices of your medical expenses, documents relating to your education and work experience, payslips and documents indicating your financial expenses due to your injuries.
3. Approach a lawyer to complete a claim form and start the process.

Please note that, during the process, you will be attended a case manager whom you should be updating with your injuries and ongoing treatment.

Do I need a lawyer to make a TPD claim?

Although it is not an obligation to work with a lawyer to bring a claim, it will be very advantageous for you to hire one. The process of claiming compensation is complex and every single document or evidence to support your claim will play a key role in your award. A lawyer will ensure you understand your rights as well as helping you gather all the necessary documents and managing the necessary talks to maximize your award. If you hesitate to hire a lawyer to prevent any further financial difficulties, you can always work with a lawyer acting on no win no fee basis. An experienced [no win no fee TPD lawyer](#) will only get paid if you can successfully be awarded. You might be thinking that working with a lawyer can decrease the payout you receive, in fact, it is proven that the award you will be receiving will be significantly greater with a lawyer by your side.

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