

Damages Calculator		
Enter data in all applicable boxes. If a listed head of damage has not been claimed - leave it blank. If a head of damage is claimed but damages allowed are nil for that head of damage - insert 0.00		
Damages	Amounts	
A. Non-economic loss	\$	150,000.00
B. Economic losses		
1. Past loss of earnings	\$ 100,000.00	
2. Past superannuation		
3. Fox v Wood		
4. Future economic loss	\$ 150,000.00	
5. Future superannuation		
6. Past treatment	\$5,929.40	
7. Future treatment	\$5,000.00	
8. Past gratuitous care		
9. Future gratuitous care		
10. Past paid care		
11. Future paid care		
12. Interest		
13. Other		
Sub total economic losses		\$260,929.40
C. Sub Total Damages Assessed		\$410,929.40
D. Deduction for Contributory Negligence		
14. Contrib. Neg. percentage		\$0.00
E. Total Damages Assessed		\$410,929.40
F. Insurer to have credit for - s 130 payments		
15. Victims Compensation		
16. ANF		
17. s 83 payments	\$ 35.05	
18. s 84A Hardship payments		
Sub total credits		\$35.05
The amount of total damages assessed is used to form the basis of the amounts awarded for stages 4 and 5 as per Part 2 of the costs calculator below.		

Damages and Costs Calculators			
Motor Accidents Compensation Act 1999			
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Member:	Hugh Macken	Date of assessment:	28-Jun-23
Claimant:	Alfonas Stonis	Matter:	Hugh Macken

Costs Calculator	
The amount of costs are awarded in dollars and cents converted in this calculator from the amount of monetary units provided for in the Regulation. Note the Regulation requires rounding up or down to the nearest dollar and Members should ensure any stage 4 or 5 amounts are rounded.	
Note: CPI Indexation for 2022-2023 accident year - 1 monetary unit =	\$108.46
Motor Accidents Compensation Regulation - Schedule 1 Maximum costs for legal services	

Schedule 1 - Maximum Costs for legal services (Clause 6(1))					
Clause 1 - Costs determined by reference to certain stages in the matter - Table A					
Description of stage and amount of Monetary units		Damages Assessed	Maximum costs allowable	Costs assessed and allowed	GST
Stage 1	ANF completed by legal representative	N/A			\$0.00
Stage 2	From retainer to service of claim form - maximum 2.92 mu	N/A	\$317		\$0.00
Stage 3	From service of claim form to response to Insurer's offer - maximum 4.32 mu	N/A	\$469		\$0.00
Stage 4	Resolution without certificate of assessment - Costs dependent on damages and liability status				
Less than \$20,000	Liability wholly admitted - 7.24 mu only - no additional cents per \$			\$0	\$0.00
	Liability not wholly admitted - 10 cents for each \$ of the settlement			\$0	\$0.00
Over \$20,000 & under \$50,000	Liability wholly admitted - 7.24 mu plus 12 cents for each \$ over \$20,000			\$0	\$0.00
	Liability not wholly admitted - 25.92 mu plus 12 cents per \$ over \$20,000			\$0	\$0.00
Over \$50,000 & under \$100,000	Liability wholly admitted - 51.84 mu plus 10 cents per \$ over \$50,000			\$0	\$0.00
	Liability not wholly admitted - 71.28 mu plus 10 cents per \$ over \$50,000			\$0	\$0.00
Over \$100,000	Liability wholly admitted - 114.48 mu plus 2 cents per \$ over \$100,000			\$0	\$0.00
	Liability not wholly admitted - 133.92 mu plus 2 cents per \$ over \$100,000	\$ 410,929.40	\$20,744	\$ 20,744.00	\$2,074.40
Stage 5 - Resolution after assessment before court	2 cents per dollar of the assessment (and complete to include stage 4 above)	\$ 410,929.40	\$8,219	\$ 8,219.00	\$821.90
Sub-total				\$28,963.00	\$2,896.30

Schedule 1 – Clauses 2 & 3 – Other Costs for Legal Services					
Description of legal service and amount of Monetary Units		Maximum costs allowable	Amount claimed for costs	Costs Allowed (May be less than max.)	GST
Medical Disputes under Part 3.4 referred for assessment	Original medical assessment s 60 - max amount per medical dispute - 10 mu	\$1,085			\$0.00
	Further medical assessment s 62 - if further assessment occurs - 10 mu	\$1,085			\$0.00
	Review of medical assessment s 63 - if referred to a panel - 10 mu	\$1,085			\$0.00
	NOTE: Maximum amount for all medical disputes per claim - 25 mu	\$2,712	\$2,500.00	\$ 2,500.00	\$250.00
Claim Disputes Special Assessment - s96	Maximum amount per dispute - 12 mu	\$1,302			\$0.00
	NOTE: Max per claim (excluding s 96(1)(e)–(g) disputes) - 25 mu	\$2,712			\$0.00
Representation at assessment conference hearing	Maximum flat fee of 12.5 mu	\$1,356			\$0.00
	Maximum hourly rate after first 2 hours - 3 mu	\$325			\$0.00
Conference directly related to an assessment	Maximum hourly rate - 3 mu	\$325	\$ 900.00	\$ 900.00	\$90.00
Country loading	See the list in the Regulation				
Interstate loadings	Interstate loadings are 'reasonable'.				\$0.00
Sub-total				\$3,400.00	\$340.00

Damages and Costs Calculators			
Motor Accidents Compensation Act 1999			
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Member: Hugh Macken		Date of assessment: 28-Jun-23	
Claimant: Alfonas Stonis		Matter: Hugh Macken	

Schedule 2 - Maximum fees for Medico-Legal Services (Clause 10)					
Description of medico-legal service and amount of Monetary Units		Maximum costs allowable each service or report	Amount claimed for costs	Costs assessed and allowed	GST
Appearances as witnesses					
Health Practitioners giving evidence	Evidence not expert evidence - 3 mu per hour to max of 6 mu	\$651			\$0.00
	Expert evidence, 8 mu for the first 1.5 hours then 3 mu per hour or part thereof up to a max of 24 mu	\$651			\$0.00
Travelling Allowance	In connection with appearance as a witness - maximum of \$0.55 per km	N/A			\$0.00
Accommodation and meals	In connection with appearance as a witness - reasonable costs	N/A			\$0.00
Medical reports		Name of doctor			
Attending GP Reports No re-examination - 2.5 mu each		\$271			\$0.00
Attending GP Reports with examination - 3.3 mu each		\$358			\$0.00
Attending Specialist Reports No re-examination - 8 mu each		\$868	\$ 800.00	\$ 800.00	\$80.00
Attending Specialist Reports with examination - 12 mu each		\$1,302			\$0.00
Medico-Legal Specialist Reports - Not jointly agreed No examination - 8 mu each		\$868			\$0.00
Medico-Legal Specialist Reports - Not jointly agreed with examination - 12 mu each		\$1,302	\$ 4,400.00	\$ 4,400.00	\$440.00
Medico-Legal Specialist Reports - JOINTLY agreed No examination - 12 mu each		\$1,302			\$0.00
Medico-Legal Specialist Reports - JOINTLY agreed with examination - 16 mu each		\$1,735			\$0.00
Copying medical reports Maximum of \$1 per page for doctor's copying (not lawyer)					\$0.00
Cancellation Fee If appearance or medical report is not required Not > 50% of the relevant amount as per the table					\$0.00

Sub-total \$5,200.00 \$520.00

Costs Not Regulated (Clause 4)			
Category or type of unregulated costs	Name of expert or service provider	Costs Allowed	GST
(a) fees for accident investigation or reconstruction reports			\$0.00
(b) fees for accountants' reports			\$0.00
(c) reports from health practitioners (other than medical practitioners)			\$0.00
(d) fees for other reports relating to treatment or rehab (eg, house mods)			\$0.00
(e) fees for clinical records (including medical practitioners)			\$0.00
(f) fees for interpreter or translation services			\$0.00
(g) claimant travel costs & expenses attending PIC or court			\$0.00
(h) witness expenses at the PIC or court			\$0.00
GST free costs			

Sub-total \$0.00 \$0.00

Costs Calculation Totals		
Area	Costs Allowed	GST
Schedule 1 - Clause 1 - Costs for stages 1-5 - Table A (Clause 6(1))	\$28,963.00	\$2,896.30
Schedule 1 - Clauses 2 & 3 - Other Costs for Legal Services	\$3,400.00	\$340.00
Schedule 2 - Maximum fees for Medico-Legal Services (Clause 10)	\$5,200.00	\$520.00
Costs Not Regulated (Clause 4)	\$0.00	\$0.00
Total Costs & Total GST	\$37,563.00	\$3,756.30
Total (Including GST)		\$41,319.30