



## When to use this form



Use this form to claim compensation from Services Australia for financial loss or personal injury suffered as a result of our negligence or defective administration.

You need to read these notes before you fill in the form. They tell you about:

- settlements in cases where the Commonwealth is legally liable, and the Compensation for Detriment caused by Defective Administration (CDDA) Scheme
- what sort of losses or injuries you can claim compensation for
- the process for deciding your claim
- your right to seek assistance from the Commonwealth Ombudsman.

## Legal liability

The decision whether to pay compensation must be based on whether there is a meaningful prospect of liability being established. Settlement of the claim must be in accordance with legal principle and practice. For a claim of negligence causing loss or damage to succeed, all of the following must be established:

- a duty of care to a reasonable standard was required
- a failure to conform to that standard occurred (that is, a breach of that duty)
- the person suffered reasonably foreseeable economic loss because of the breach of the duty of care
- there is a reasonable connection between the breach of the duty and the economic loss suffered.

## Compensation for Detriment caused by Defective Administration (CDDA)

If it is decided that there is no meaningful prospect of the Commonwealth being found to be legally liable, the CDDA Scheme may be applicable. The CDDA Scheme provides for compensation to be paid where a person has suffered reasonably foreseeable financial loss, personal injury or property damage where one or more of the following 4 criteria have been met:

- a specific and unreasonable lapse in complying with existing administrative procedures that would normally have applied to the claimant's circumstances
- an unreasonable failure to institute appropriate administrative procedures to cover a claimant's circumstances
- giving advice to (or for) a claimant that was, in all circumstances, incorrect or ambiguous
- an unreasonable failure to give to (or for) a claimant, the proper advice that was within the official's power and knowledge to give (or was reasonably capable of being obtained by the official to give).

We apply the guidelines for the CDDA Scheme, published by the Department of Finance in the relevant Resource Management Guide 409. For more information, go to [finance.gov.au](http://finance.gov.au) and search for 'CDDA'.

## Types of loss

You can claim for loss or injury including:

- economic loss arising from personal injury (such as medical expenses)
- economic detriment that is not related to a personal injury (pure economic loss)
- detriment relating to damage to property.

Under the CDDA Scheme compensation is not payable for grief or anxiety, hurt, humiliation, embarrassment, disappointment, stress or frustration that is unrelated to a personal injury, no matter how intense the emotion may be.

You can only claim losses which were caused by our negligence or defective administration, and the losses you have suffered must be reasonably foreseeable and not too remote. If there were reasonable actions you could have taken to avoid or limit your loss, we will take this into account when considering an offer of compensation.

Before lodging your claim for compensation, talk to us about whether there is any other way to remedy the problem.

Options such as review or appeal should be explored before a claim is considered under the CDDA Scheme.

**Keep these Notes (Pages 1 to 2) for your information.**

# Compensation Application

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## Claim process

We will send you an acknowledgement letter within 5 business days of receiving your claim and provide you with the name and direct contact details of the case manager handling your claim. If you do not receive a letter from us acknowledging receipt of your claim within 14 days, call us on **1800 995 496**.

We aim to resolve claims within 90 days, however, this will not always be possible. The authorised officer will make a decision about your claim and you will be notified in writing of the outcome.

Correspondence about your compensation claim will not be sent via your myGov account.

## If you disagree

If you are dissatisfied with the decision or the way we have handled your matter, you can contact the case manager directly to discuss and/or seek assistance from the Commonwealth Ombudsman. The Ombudsman can look at whether the decision was fair and reasonable in the circumstances. You can call the Ombudsman's office on **1300 362 072** for the cost of a local call anywhere in Australia.

## For more information

Go to [servicesaustralia.gov.au](https://servicesaustralia.gov.au) or visit the Department of Finance website [finance.gov.au](https://finance.gov.au)

Call us on **1800 995 496**.



### Information in your language

We can translate documents you need for your application for free.

To speak to us in your language, call **131 202**.

Call charges may apply.



### Hearing and speech assistance

If you have a hearing or speech impairment, you can use:

- the National Relay Service **1800 555 660**, or
- our TTY service on **1800 810 586**. You need a TTY phone to use this service.

For more information about help with communication, go to [servicesaustralia.gov.au](https://servicesaustralia.gov.au) and search 'other support and advice'.

## Returning this form

Check that all required questions are answered and that the form is signed and dated.

Return this form and any supporting documents:

- **online** using your Centrelink online account. For more information, go to [servicesaustralia.gov.au/centrelinkuploaddocs](https://servicesaustralia.gov.au/centrelinkuploaddocs)
- by post to  
Services Australia  
Customer Compensation  
Legal Services Division  
PO Box 7788  
CANBERRA BC ACT 2610



