

SEPAROVIC & ASSOCIATES
THRESHOLD CALCULATIONS FOR PAIN
AND SUFFERING IN PUBLIC LIABILITY CLAIMS

As at 1 July 2008 the restrictions on the award of damages for pain and suffering ("general damages") are as follows:

1. If the general damages are assessed at \$15,500.00 or less, a \$15,500.00 deductible applies which results in a nil award of damages.
2. If the general damages are over \$15,500.00 but not more than \$47,000.00 then the \$15,500.00 deductible also applies.
3. If the general damages are between \$47,000.00 and \$62,500.00 there is a deductible but it begins to decrease.
4. If the general damages are \$62,500.00 or more there is no deductible.

Gross Award of General Damages	Net Payable After Deductible	Gross Award of General Damages	Net Payable After Deductible
\$15,500 or less	Nil		
16,000.00	500.00	44,000.00	28,500.00
17,000.00	1,500.00	45,000.00	29,500.00
18,000.00	2,500.00	46,000.00	30,500.00
19,000.00	3,500.00	47,000.00	31,500.00
20,000.00	4,500.00	48,000.00	33,500.00
21,000.00	5,500.00	49,000.00	35,500.00
22,000.00	6,500.00	50,000.00	37,500.00
23,000.00	7,500.00	51,000.00	39,500.00
24,000.00	8,500.00	52,000.00	41,500.00
25,000.00	9,500.00	52,500.00	42,500.00
26,000.00	10,500.00	53,000.00	43,500.00
27,000.00	11,500.00	54,500.00	46,500.00
28,000.00	12,500.00	55,000.00	47,500.00
29,000.00	13,500.00	55,500.00	48,500.00
30,000.00	14,500.00	56,000.00	49,500.00
31,000.00	15,500.00	56,500.00	50,500.00
32,000.00	16,500.00	57,000.00	51,500.00
33,000.00	17,500.00	57,500.00	52,500.00
34,000.00	18,500.00	58,000.00	53,500.00
35,000.00	19,500.00	58,500.00	54,500.00
36,000.00	20,500.00	59,000.00	55,500.00
37,000.00	21,500.00	59,500.00	56,500.00
38,000.00	22,500.00	60,000.00	57,500.00
39,000.00	23,500.00	60,500.00	58,500.00
40,000.00	24,500.00	61,000.00	59,500.00
41,000.00	25,500.00	61,500.00	60,500.00
42,000.00	26,500.00	62,000.00	61,500.00
43,000.00	27,500.00		