

The Motor Traders' Association of NSW has set up this Industry News Service to inform all repairers of the issues facing the industry.



## **Industry News Service**

### **Third Party “Cash Settlements”**

Due to recent developments by some Insurers in short changing the cost of repairs to third parties, MTA NSW is advising the Industry to ensure that these people are not disadvantaged when dealing directly with Insurers.

#### **Under Section 51 of the Insurer Contracts Act**

#### **Right of the third party to recover against Insurer!**

**“Where the third party may recover from the insurer an amount equal to the Insurer’s liability under the contract in respect of the Insured’s liability in damages”.**

This liability is based upon the negotiated estimate between the third party’s repairer and the Insurer’s assessor.

#### **“Ensure your customer knows their rights”**

MTA NSW has been advised of the increasing use by third party claimants of Recovery agencies to settle claims with Insurers.

This is to ensure that the fair and reasonable cost is provided to carry out the necessary repairs to return the vehicle back to pre-accident condition.

## National Review of the Conduct

MTA NSW with the other State working together to ensure a and approach is adopted when issues surrounding the Code of



## MVIRI Code of

Associations are National strategy dealing with the Conduct.

## Industry News Sponsor



To find out how to become a Member, click [here](#).

To find out more about the Motor Traders' Association of NSW, click [here](#).

### Unsubscribe

To be removed from this list please reply to this email with a request to "Unsubscribe" written in the subject field.

Regards,  
Greg Preston  
Senior Manager - Divisional Services  
Motor Traders' Association of NSW  
Phone 02 9213 4222  
Web [www.mtansw.com.au](http://www.mtansw.com.au)