# AAI Limited ABN 48 005 297 807 T/A Suncorp Technical Recoveries And Settlements

80 Ann Street Brisbane City QLD Australia 4000

Level 23

**Phone** 02 8925 9801 **ABN** 48005297807



# **CLAIM DETAILS**

\*\* **Claim** M074326066

Policy No. Cover Type
Market

Assessment Category

Division

Market
Assessment Type

\*\* Assessment party

Office Melbourne Team

Third Party

Special Instructions for Repairer

\* Excess

NIL

**Policy Inception Date** 

# **INSPECTION DETAILS**

At the repairer

Address 30 Coolstore Road Phone No.(W) 03 9725 8325 Suburb / Town Croydon Fax 03 9725 8330

State/Territory VIC Mobile No. Post Code 3136

# **VEHICLE DETAILS**

				Authority Issued			
Make VOLKSW	<b>Model</b> AGEN GO	Series LF R WOLFSBI	<b>Equip Le</b> URG EDITI		MY16	Compliance Month/Year November 2015	
Body Typ 5D HATC		Engine Size T4	Colour White		Paint Group Pearl	Paint Code	
Rego Nui AVM429	mber	Expiry Dat	е	<b>Rego</b> VIC	State	*Vehicle Condition Excellent	
Odomete 58488 km	•				mission AUTO DIREC	T SHIFT	
Engine N	umber			Tyre Yes	Serviceable	Brakes Serviceable Unknown	
Depth Un	nits			Axles	Count		
Front		2(1L+1R)		L 3	R 3		
Rear		2(1L+1R)		L 3	R 3		

Vehicle ID TB915I

# WVWZZZAUZGW068221

DAMAGE LOCATION : Shade claim damage. circle and describe old damage. Also show direction of impact

Type of Loss : Collision
Non-Repairable Damage : No

Vehicle moved : No

*Repair	
R & R Labour	\$3,724.00
Repair Labour	\$427.00
Paint Labour	\$4,536.00
Mech. Labour	\$0.00
Misc. Labour	\$435.00
TOTAL LABOUR	\$9,122.00
Estimated Parts	\$2,089.00
(including Markup)	
Sublet	\$0.00
Net Total	\$11,211.00
GST	\$1,121.10
Total	\$12,332.10
Less ITC	
Less Excess	NIL
Less Contribution	
Estimated Total	\$12,332.10
Estimated Repair Reserve	
*Total Loss No	
Total Loss Date	
Sum Insured /	
Market Value	
Cover Type Market	
Market Value	\$40,500.00
*Book Values	
Trade Low	<b>#07 000 00</b>
	\$27,900.00
Trade	\$27,900.00
Trade Retail	
	\$32,600.00
Retail	\$32,600.00 \$38,800.00
Retail Avg.	\$32,600.00 \$38,800.00
Retail Avg* Total Settlement	\$32,600.00 \$38,800.00 <b>km</b>
Retail	\$32,600.00 \$38,800.00 <b>km</b> \$40,500.00
*Total Settlement Settlement Amount Salvage Value	\$32,600.00 \$38,800.00 <b>km</b> \$40,500.00 \$7,050.00
Retail	\$32,600.00 \$38,800.00 <b>km</b> \$40,500.00 \$7,050.00

<sup>\*</sup>VIN/Chassis Number

Assessor : AAMC

Assessor's Name: Spiros Nitsos PO Box 5752 Brendale QLD 4500

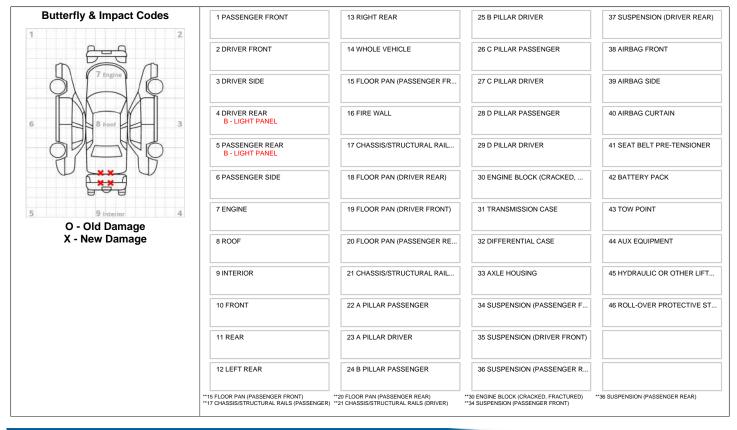
0429 081 311

**Date Owner Advised** Inspection Date

30/11/2022

Type of Loss : Collision Incident Type Code: Impact (I)

Type of Total Loss:



# ASSESSOR COMMENT (NOT VISIBLE TO THE REPAIRER)

Australian Accident Management Commercial Pty Ltd Level 1 Building 4, 205-215 South Pine Rd QLD 4500

This Report and acknowledgment is the expert witness report of Spiros Nitsos

I have read the Magistrates Court of Victoria Expert Witness Code of Conduct (Which is attached – attachment 1) and I agree to be bound by it.

My qualifications and experience are attached to this acknowledgement.

I have been advised that motor vehicle registered number AVM429 was damaged in a motor vehicle collision on or about 1/8/2022 and asked to inspect and prepare an assessment report according to my findings.

I can advise that I inspected the vehicle on 30/11/2022 and subsequently prepared the assessment report and associated repair costs based on my findings and my industry experience.

Inspection was carried out at Sheen Croydon.

# VEHICLE DESCRIPTION AND VALUE

The vehicle is the 11/2015 Volkswagen Golf.

The Vehicle is in above average pre-accident condition.

I estimate the fair market value to be \$40500.00

The fair market value does not include stamp duty and transfer fees.

Salvage value at time of loss \$7050.00

#### DAMAGES SUSTAINED

The Vehicle has been repaired prior to my inspection.

#### REPAIR WORK COMPLETED

I have reviewed the Estimate Number 12894 that was submitted by Sheen Croydon and note the following:

# REMOVE AND REFIT LABOUR

I have adjusted this segment to reflect fair and reasonable Remove and Refit labour operations that are based on photographic evidence supplied, and consistent with my recent industry experience for similar labour operations.

#### REPAIR LABOUR

After viewing the vehicle and the photographic evidence supplied, I have made the necessary adjustments as required. I have made amendments to this segment to reflect costs that I believe are fair and reasonable based on photographic evidence supplied and my recent industry experience for similar labour operations.

#### PAINT LABOUR

It is my expert opinion that Paint costs are excessive, and I have made several adjustments to this segment. I have made amendments to this segment that reflect costs I believe are fair and reasonable and based on photographic evidence supplied, along with my recent industry experience for similar paint labour operations.

#### PARTS AND MISCELLANEOUS ITEMS

All Parts appear to have been replaced as stated on the attached Repair Estimate.

Some adjustments were made to the miscellaneous segment to reflect costs that are consistent with my recent industry experience for similar operations.

#### **QUANTUM**

I have contacted the repairer and asked if there are any outstanding supplementary estimates pending on this claim. Repairer has advised: NO. My assessment of fair and reasonable repair costs based on my Re-inspection report is \$12332.10 inclusive of GST. Adjustments have not been discussed with the repairer.

#### REPAIR TIME REQUIRED

I estimate the repair time for this type of repair process would be 5 working days.

This is based on my recent industry experience and has not been discussed with the Repairer.

#### **GENERAL COMMENTS**

I reserve the right to request a second inspection opportunity if additional documentation and photos become available after my initial inspection. I also reserve the right to amend my report once additional information becomes available.

If you have any further queries, please do not hesitate to contact our office.

Spiros Nitsos

AUSTRALIAN ACCIDENT MANAGEMENT COMMERCIAL

#### **REPAIRER DETAILS**

Sheen Panel Service Croydon

38297906785

ABN

Address

30 Coolstore Road 30 Coolstore Road Phone No.

03 9725 8325 E-mail

admin.croydon@sheengroup.com.au

ACN

Suburb / Town

Croydon Fax

03 9725 8330

License No.

State/Territory VIC

Inspection Date 30/11/2022

3136

**Post Code** 

Mobile No.

# **ASSESSMENT DETAILS**

Inspection Type Post Repair Assessment Type

Assessor AAMC

ABN 51 101 934 801

Assessor Name Spiros Nitsos

Address

Suburb State/Territory

Country AUSTRALIA

**Post Code** Mobile No.

Phone No.(H)

Phone No.(W) 0429 081 311

Email spiros.nitsos@aamc.com.au

Fax 07 3889 7471

Estimate No. Assessed Yes Assessed Date 07/12/2022 Amount \$12332.10 Quote Date 07/12/2022 Authority Issued No **Issued Date** 

Invoice No. Invoice Status Date

Approved by Approved Amount \$

**Authorised Labour Amount** 

**Assessment Type** 

Inspection Date 30/11/2022

Inspection Type Post Repair In Date

Estimated days to repair 5 Non-Repairable Damage No

Type of Loss Collision Salvage Value \$7050.00

**Out Date Owner Contribution** Owner Advised Assessor Reserve **Total Loss Date** 

Manufactures Data Ref. CURRENT INDUSTRY REPAIR **STANDARDS** 

Vehicle pick up Date/Time **WOVR** 

Salvage Reference Type of Total Loss **Authority Comment** 

# **Sheen Panel Service Croydon**

30 Coolstore Road Croydon VIC Australia 3136 Phone No.(w) 03 9725 8325 Fax 03 9725 8330 **ABN** 38297906785

Contact ESTIMATOR ONE Contact No.

# Estimate No.

Remove & Replace  Quoted Rate \$0.00	Assessed Rate \$0.00	ОК						
Description	Ass	sessor Note			Est. Hours	Ass. Hours	Est. \$	Ass. \$ Ass
emove & Replace All					0.00		\$7126.00	\$3724.00 ↓
				Total	0.00	0.00	\$7126.00	\$3724.00
Repair								
Quoted Rate \$0.00	Assessed Rate \$0.00	OK						
Description		sessor Note			Est. Hours	Ass. Hours	Est. \$	Ass. \$ Ass
epair All					0.00	0.00	\$1183.00	\$427.00 ↓
				Total	0.00	0.00	\$1183.00	\$427.00
Paint								
Quoted Rate \$0.00	Assessed Rate \$0.00	OK						
Description		sessor Note			Est. Hours	Ass. Hours	Est. \$	Ass. \$ Ass
aint All	noc	Sessor Note			0.00		\$8368.00	\$4536.00 \
G. 1. 7 II.				Total	0.00		\$8368.00	\$4536.00
Mechanical								
	A	OV						
Quoted Rate \$0.00	Assessed Rate \$0.00	OK			F-1 H	A 11	F-1 6	A C A-
escription lechanical All	ASS	sessor Note			Est. Hours 0.00		Est. \$ \$0.00	Ass. \$ As \$0.00 Oh
rechanical All				Total	0.00		<b>\$0.00</b>	\$0.00 OK
Miscellaneous								
Quoted Rate \$0.00	Assessed Rate \$0.00	OK						
Description		sessor Note			Est. Hours	Ass. Hours	Est. \$	Ass. \$ Ass
fiscellaneous All	Ass	Sessoi Note			0.00		\$1190.00	\$435.00
noonanoodo / III				Total	0.00		\$1190.00	\$435.00
				_				
				Total Labour	0.00	0.00	\$17867.00	\$9122.00
Parts								
Description	۸۶۹	sessor Note	Part No	Src	Qty	Est. \$ MU	E Ass. \$	MUA Ass
Other	Ass	Sessoi Note	/	OEM		2089.00 %0.0		
			•	To		2089.00 \$0.0		
				Total (with Marku		2089.00	\$2089.00	
Sublet								
escription		sessor Note					Est. \$	Ass. \$ Ass
rescription	ASS	DESSUI NULE					0.00	0.00 Ok
						Total	\$0.00	\$0.00
						. Jtai	ψυ.υυ	ψ0.00

Net Total \$19956.00 \$11211.00

# Original

	Quoted	Ass.	Adj.
R&R	\$7126.00	\$3724.00	\$3402.00
Repair	\$1183.00	\$427.00	\$756.00
Paint	\$8368.00	\$4536.00	\$3832.00
Mech.	\$0.00	\$0.00	\$0.00
Mis.	\$1190.00	\$435.00	\$755.00
Total Labour	\$17867.00	\$9122.00	\$8745.00
Parts	\$2089.00	\$2089.00	\$0.00
M/U	\$0.00	\$0.00	\$0.00
Sublet	\$0.00	\$0.00	\$0.00

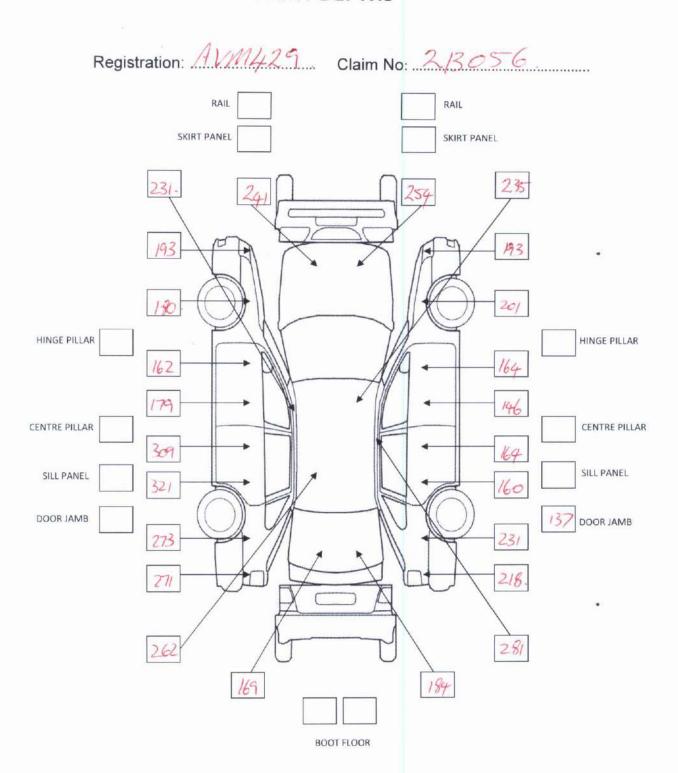
Net Total	\$19956.00	\$11211.00	\$8745.00
GST 10.00 %	\$1995.60	\$1121.10	\$874.50
Total	\$21951.60	\$12332.10	\$9619.50

Total				
		Quoted	Ass.	Adj.
Total Labour		\$17,867.00	\$9,122.00	\$8,745.00
Total Parts		\$2,089.00	\$2,089.00	\$0.00
Net Total		\$19,956.00	\$11,211.00	\$8,745.00
GST		\$1,995.60	\$1,121.10	\$874.50
-	Total	\$21,951.60	\$12,332.10	\$9,619.50





# **PAINT DEPTHS**



#### Repairer

SHEEN PANEL SERVICE (CROYDON) -

Phone, Fax, Email admin.croydon@sheengroup.com.au

#### \$ 123.0.0. ESTIMATE ASSESSED - BEN COOPER Paul Noble C/- AANDI LAWYERS Owner Vehicle 11/2015-Volkswagen Golf Reg No AVM429 Claim # 34463 Our Ref 2497254 Quote No 12894 BEN COOPER Assessor RR: (\$140) Hrs Adi 35 1. JACK & SUPPORT VEHICLE OHS (MULTIPLE TIMES) 1.00 0.30-14 2. DISCONNECT BATTERY & ECU SYSTEM (MULTIPLE TIMES) -0.30 - 213. L/H REAR ROAD WHEEL & RETENTION NUTS (MULTIPLE TIMES) 0.40 28 4. L/H REAR QTR LINR & RETAINERS 5. R/H REAR ROAD WHEEL & RETENTION NUTS (MULTIPLE TIMES) 0.30 - 2/. <del>-0.40-</del> 28 6. R/H REAR QTR LINERS & RETAINERS 010 21. 0.50 7. REAR UNDER BODY SPASH TRAY 8.50 700 8. ALL INNER BOOT TRIMS & HARDWARE 9. L/H/R TAIL LAMP 0.30 - 28 0.30 28 10. R/H/R TAIL LAMP 11. TAILGATE WEATHER SEAL & RESEAL 0.50 0.30-14 2.50 200-140 12. REAR B/BAR COVER D&A TO NEW (MULTIPLE PERSON PROCESS) 0.50 35 13. REAR BAR REINFORCEMENT 0.80 35 14. REAR PAKING SENOR LOOM 0.40 15. REAR BAR TOP STIFFERNER BRACE 2.50 16. REAR SEATS UPPER & LOWER 1.50 140 . 17. L/HR DOOR TAKE OFF & SAFE STORE (MULTIPLE PERSON PROCESS) 0.20 - 21. 18. L/HR DOOR STRIKER LOCK 0.40 19. L/HR KICK TRIMS 0.50 20. L/HR DOOR APERTURE WEATHER SEAL 21. L/HF DOOR TAKE OFF & SAFE STORE (MULTIPLE PERSON PROCESS) +50-140. 22. L/HF DOOR STRIKER LOCK 0.20 - 2 / . 0:40 23. L/HF KICK TRIMS 0.30-35 0.50 24. L/HF DOOR APERTURE WEATHER SEAL 1.50 140 25. R/HR DOOR TAKE OFF & SAFE STORE (MULTIPLE PERSON PROCESS) 0.20 - 21. 26. R/HR DOOR STICKER LOCK 0.40 27. R/HR DOOR KICK TRIMS 0.30 35 0.50 28. R/HR APERTURE WEATHER SEAL 1.50 140 29. R/HF DOOR TAKE OFF & SAFE STORE (MULTIPLE PERSON PROCESS) 0.20 21. 30. R/HF DOOR STRICKER LOCK 0.40 31. R/HF DOOR KICK TRIMS 0.50 32. R/HF APERTURE WEATHER SEAL -0.30- 21 -33. L/HF SCREEN PILLAR TRIM 0.50 70 34. L/H/F QUARTER GLASS ROPE & BACK MASK -0.30 2 / 35. R/HF SCREEN PILLAR TRIM · 0.50 70 · 36. R/H/F QUARTER GLASS ROPE & BACK MASK -8:00 420 37. HEADLINING & ALL NEC CONNECTING TRIMS 0.50 49 38. TURRET AIREL 1.50- 70 39. ROPE & BACK MASK MOON ROOF 0.20-14 40. R/H QTR PANEL VENT 0.20 14 41. R/H OUTER REAR BAR BRACKET & SLIDE 0.50-35 42. R/H QTR PANEL FUEL FILLER LID 0.80 35 43. R/H QTR PANEL FUEL FILLER NECK & BUCKET 0.20 14 44. L/H QTR PANEL VENT 0.20 14 45. L/H OUTER REAR BAR BRACKET & SLIDE 4.50 - 350. 46. TAILGATE D & A & TAKE OFF (MULTIPLE PERSON PROCESS)

► 50.90 ► \$7.126.00 Adj
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93. REAR BAR LOWER DEFUSER New - 5G6807568N041		\$347.00		
94. REAR BAR RIENFORCMENT New - 5G0807305D		\$461.00		
95. REAR BAR CENTRE ABSORBER New - 5GE807251		\$139.00		
96. REAR BAR SENCOR HOUSING x4 New - 5G0919492A		\$27.00		
97. 'R' BADGE New - 1K8853675KFOD		\$101.00		
98. 'WOLFSBURG' BADGE New - VGA5G0853675WE		\$68.00		
	SubTotal \$	\$2,089.00		\$2,089.00
Other:		\$		Adj
99. ENVIRONMENT LEVY		\$80.00		\$25.00 (
100. COMMERICAL WASH & DETAIL		\$150.00		\$140.00
101. PASTIC SEAT COVERS & MATS		\$25.00		
102. DECONTAMINATE		\$140.00 55		
103. WORKSHOP SUPPLIES & SUNDRIES		\$80.00 25		
104. ELECTEICAL CHECK & RESET ON BOARDS		\$150.00		\$140.00
105. WATER / DRIP CHECK		\$140.00_25		
106. HOIST & UNDERBODY CHECK		<del>\$140.00</del> - 5 5		
107. WAXES / SEALERS/SPRAYS( FACTORY SPEC)		<del>\$140.00</del>		
108. ROAD TEST FOR NOISE & VIBRATION		\$140.00 - 55		
109. REAR SENSOR BRACKET ADHESIVE		\$80.00	2	
	SubTotal \$	\$1,265.00		\$1,190.00
	Total	\$20,827.00		\$19,956.00
	GST	\$2,082.70		\$1,995.60
	Grand Total	\$22,909.70		\$21,951.60

# Assessor's comment

BEN COOPER, , ben@vmla.com.au, ,



# **AAMC Calculation Sheet**

Claim No:

	\$1.00			\$1.00	\$1.00					
	R&R item	R&R item	R&R item	Repair	Paint	Mechanical	Parts	Parts	Misc	
	35.00	70.00		35.00	70.00		2,089.00			0.00
	14.00	14.00		210.00	112.00					5.00
	21.00	14.00		42.00	420.00					5.00
	28.00	35.00		70.00	70.00					5.00
	21.00	35.00		70.00	70.00					5.00
	28.00	14.00			490.00					0.00
	21.00	14.00			140.00					5.00
	700.00	350.00			140.00					5.00
	28.00	35.00			280.00				55	5.00
	28.00	70.00			350.00					
	14.00	280.00			70.00					
	140.00	70.00			140.00					
	35.00	70.00			140.00					
	35.00	70.00			350.00					
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	49.00									
Supplementary:						•				
Cub Tatal			ć 2.724.00	ć 427.00	Ć 452000	ć		ć 2.000.00	ć 435	- 00
Sub-Total			\$ 3,724.00	\$ 427.00	\$ 4,536.00	\$ -		\$ 2,089.00	\$ 435	0.00

Assessor Notes:		
Assessed by:		

R&R Labour	\$ 3,724.00
Repair Labour	\$ 427.00
Paint Labour	\$ 4,536.00
Total Labour	\$ 8,687.00
Mechanical	\$ -
Parts	\$ 2,089.00
Miscellaneous	\$ 435.00
Towing	\$ -
Sub-Total pre GST	\$ 11,211.00
GST	\$ 1,121.10
TOTAL INC GST	\$ 12,332.10

Towing

Original Quote	\$	-
Ammended Quote	\$	12,332.10
Difference b/w Quotes	-\$	12,332.10



Search

.

Selection Treeview Search NVIC

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Data Enquiry Form

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# 2015 VOLKSWAGEN GOLF R WOLFSBURG EDITION AU MY16 5D HATCHBACK TURBO 4 1984 cc TMPFI 6 SP AUTO DIRECT SHIFT

DATE	New Price	Trade Low	Trade	Retail	Avg KMS
November , 2022	\$56,990	\$27,900	\$32,600	\$38,800	102000
October , 2022	\$56,990	\$28,000	\$32,700	\$38,900	100000
September , 2022	\$56,990	\$28,000	\$32,800	\$39,000	99000
August , 2022	\$56,990	\$28,200	\$33,000	\$39,300	98000
July , 2022	\$56,990	\$26,700	\$31,200	\$37,200	97000
June , 2022	\$56,990	\$26,800	\$31,300	\$37,300	96000
May , 2022	\$56,990	\$26,900	\$31,500	\$37,500	95000
April , 2022	\$56,990	\$27,000	\$31,600	\$37,600	93000
March , 2022	\$56,990	\$27,200	\$31,800	\$37,800	92000
February , 2022	\$56,990	\$25,500	\$29,800	\$35,500	91000
January , 2022	\$56,990	\$25,600	\$29,900	\$35,600	90000
December , 2021	\$56,990	\$25,800	\$30,200	\$35,900	89000
1 <u>2 3 4 5</u>					

Pricing History & KM adjustment

Select Year and Month for historic value then add Actual Kms then press Tab

Select Year 2022 ✓

Select Month August V

Average KM 98,000 Enter Actual KM 58 X1000 km

Adjusted values for Kms Travelled: 58000

	New Price	Trade Low	Trade	Retail	
KM Adjustment		\$360	\$600	\$1,200	
Adjusted Values	\$56,990	\$28,560	\$33,600	\$40,500	
Prices are Inclusive of GST					

▶ Disclaimer ▶ Privacy Statement

© GLASS'S INFORMATION SERVICES



Registration AVM429/VIC

Transaction date User 17-Jul-2018 21:57:20 EST Theo Kalavrouziotis - AAMC

(Adjustit)

Reference

431e1deb

https://www.motorweb.com.au/reference/431e1deb

# 2015 Volkswagen Golf 16 2.0L 6SPA R WE 206KW Hatch4 door 4x4 in White

# Information

Currently registered to 15-Apr-2019 Not reported on the WOVR Not reported stolen Engine: 1,984 cc,Petrol Inline,4

Transmission: 6 speed Automatic

# **WOVR History**

No recorded WOVR history.

# **Stolen History**

This vehicle is not reported stolen.

# Registration

Plate number AVM429
Plate type Standard
State Victoria
Status Registered
Expiry date 15-Apr-2019

# **Description**

Year **2015** 

Make Volkswagen

Model Golf 16 2.0L 6SPA R WE 206KW

Hatch

Color White Body style Hatch

# Manufacturer details

Model ID Not recorded

Generation 16

Grade **2.0 R WE 206KW** 

Design 2016
Origin Germany

## **Glass's Valuation**

Trade \$37,500 Retail \$44,100 RRP \$56,990

#### Identification

VIN WVWZZZAUZGW068221

Chassis no. Not recorded Engine no. CJX079356

# **Engine & Transmission**

Fuel type Petrol
Capacity 1,984 cc
Configuration Inline 4
Power 206 KW

Transmission 6 speed Automatic

Driven wheels 4

# **Body**

Doors 4 Wheels 4 Seats 5

Gross Mass
Kerb Weight
Combined Mass
Wheelbase

2,000Kg
1,435Kg
Not recorded
Not recorded

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# Expert Witness Credentials

Name:	Spiros Nitsos
Company:	Australian Accident Management Commercial

# Summary

My credentials as an expert witness qualify me to give testimony based on my specialist knowledge in the vehicle accident, repair and insurance industry. In acting for the court only, after evaluation of all relevant case documents and related facts of the particular matter, I will provide testimony or opinion based on my knowledge, expertise and experience and communicate technical issues to counsel and court in such a manner as to be understood without being construed toward either the plaintiff or defendant.

# **Qualifications and Experience**

I have been directly involved in the Collision Repair and Insurance industry for 24 years and my qualifications and industry experience are outlined as follows:

#### Qualifications

- · Qualified Panel Beater
- ICar Trained
- Certificate IV Motor Vehicle Loss Assessing

# Experience

No of Years	Position
5 Years	Vehicle Loss Assessor - Australian Accident Management Commercial
4 Years	Vehicle Loss Assessor - Allianz Insurance
4 Years	Vehicle Loss Assessor - Youi Insurance
2 Years	Senior Vehicle Loss Assessor - Freemans Assessing
4 Years	Vehicle Loss Assessor - AAMI
10 Years	Panel Beater/ Including Estimator for 2 years

I confirm that the information detailed above is a true and accurate representation of my qualifications and experience. I acknowledge that in acting as an expert witness I will abide by the Expert Witness Code of Conduct and that my testimony will be truthful, thorough and impartial.

Name:	Spiros Nitsos	
Signature:	Millet	
Date:2022		

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#### Form 44A

#### Rule 44.01

#### EXPERT WITNESS CODE OF CONDUCT

#### Application of Code

- 1 This Code of Conduct applies to any expert witness engaged or appointed:
  - to provide an expert's report for use as evidence in proceedings or proposed proceedings; or
  - (b) to give opinion evidence in proceedings or proposed proceedings.

#### General duties to the Court

2 An expert witness is not an advocate for a party and has a paramount duty, overriding any duty to the party to the proceedings or other person retaining the expert witness, to assist the Court impartially on matters relevant to the area of expertise of the witness.

### Content of report

- 3 Every report prepared by an expert witness for the use in Court shall clearly state the opinion or opinions of the expert and shall state, specify or provide:
  - (a) the name and address of the expert;
  - (b) an acknowledgement that the expert has read this code and agrees to be bound by
  - (c) the qualifications of the expert to prepare the report;
  - (d) the assumptions and material facts on which each opinion expressed in the report is based (a letter of instructions may be annexed);
  - (e) the reasons for and any literature or other materials utilised in support of each such opinion:
  - (f) (if applicable) that a particular question, issue or matter falls outside the expert's field of expertise;
  - (g) any examinations, tests or other investigations on which the expert has relied, identifying the person who carried them out and that person's qualifications;
  - to the extent to which any opinion which the expert has expressed involves the acceptance of another person's opinion, the identification of that other person and opinion expressed by that other person;
  - a declaration that the expert has made all the inquiries which the expert believes are desirable and appropriate, (save for any matters identified explicitly in the report) and that no matters of significance which the expert regards as relevant have, to the knowledge of the expert, been withheld from the Court;
  - any qualification of an opinion expressed in the report without which the report is or may be incomplete or inaccurate;

- (k) whether any opinion expressed in the report is not a concluded opinion because of insufficient research or insufficient data or for any other reason; and
- (I) where the report is lengthy or complex, a brief summary of the report at the beginning of the report.

# Supplementary report following change of opinion

- Where an expert witness has provided to a party (or that party's legal representative) a report for use in Court, and the expert thereafter changes his or her opinion on a material matter, the expert shall forthwith provide to the party (or that party's legal representative) a supplementary report which shall state, specify or provide the information referred to in paragraphs (a), (d), (e), (g), (h), (i), (j), (k) and (l) of clause 3 of this code and, if applicable, paragraph (f) of that clause.
- In any subsequent report (whether prepared in accordance with clause 4 or not) the expert may refer to material contained in the earlier report without repeating it.

# Duty to comply with the Court's directions

- 6 If directed to do so by the Court, an expert witness shall:
  - (a) confer with any other expert witness;
  - (b) provide the Court with a joint report specifying (as the case requires) matters agreed and matters not agreed and the reasons for the experts not agreeing; and
  - (c) abide in a timely way by any direction of the Court.

# Conference of experts

- 7 Each expert witness shall:
  - (a) exercise his or her independent judgment in relation to every conference in which the expert participates pursuant to a direction of the Court and in relation to each report thereafter provided, and shall not act on any instruction or request to withhold or avoid agreement; and
  - (b) endeavour to reach agreement with the other expert witness (or witnesses) on any issue in dispute between them, or failing agreement, endeavour to identify and clarify the basis of disagreement on the issues which are in dispute.





Added by: Cale Stasiewicz-Antonello Date: 28/11/2022 4:20 PM



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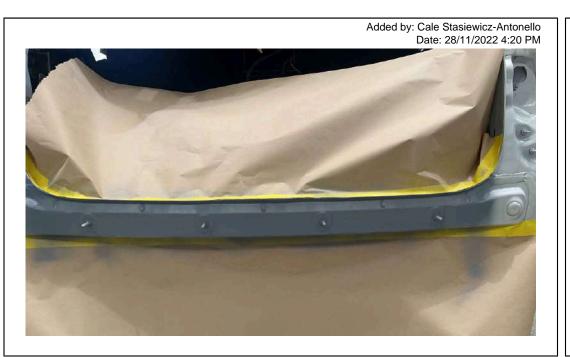


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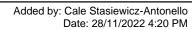










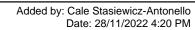


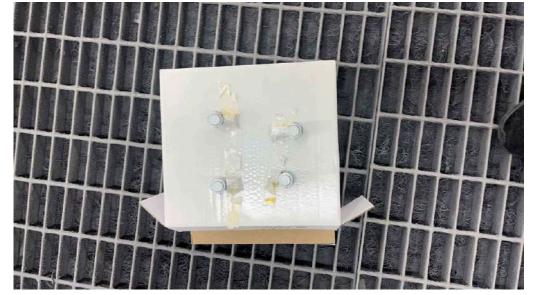


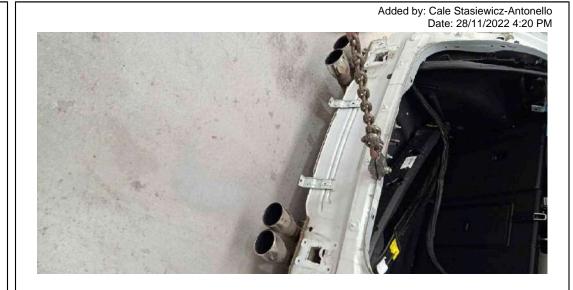












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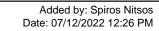




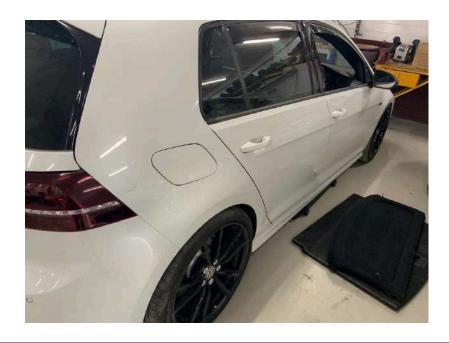


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