

The Road Accident Fund - (RAF)

Written by Administrator

Saturday, 31 July 2010 15:46 - Last Updated Wednesday, 22 February 2012 08:56

The Road Accident Fund (RAF) was established to provide appropriate cover to all road users within the borders of South Africa, for accidents arising from the use of motor vehicles.

The RAF compensates persons injured or their families in the event of fatal accidents, pays for the rehabilitation of the injured, indemnify the wrongdoers and actively promote the safe use of South African roads.

Attorneys are constantly asked by members of the public involved in motor vehicle accidents how the claim process works. Firstly an Attorney needs to ascertain whether or not you have a claim against the RAF and to what extent. If you do have a claim, the Attorney needs to formulate the amounts claimed with regards to General Damages, Loss of Income, Loss of Support, Medical Expenses, Future Medical Expenses, etc.

The claim is then lodged on a prescribed statutory claim form (Form 1 is to be used in respect of claims arising prior to the 1st of August 2008 and RAF1 form for claims after the 1st of August 2008 onwards) which requires the following information:

- - basic information on the claimant,
- - the vehicles and parties involved in the collision,
- - the date and place of accident, and the amounts claimed.
- - a medical report by the treating doctor.

All claim forms must be accompanied by:

- - an affidavit setting out the full particulars of the accident,
- - statements of witnesses,
- - police report,
- - hospital and medical records,
- - as well as vouchers and documents in support of amounts claimed.

The drivers of the vehicles involved in the collision must furnish details of the accident to the RAF on a statutory accident report form (Form 3 is to be used in respect of claims arising prior to the 1st of August 2008 and RAF3 form, from the 1st of August 2008 onwards) together with information of witnesses. Once a claim is submitted, the RAF registers it on their claim system and lodges its own investigation into the claim to determine whether the claim is valid and whether it complies with statutory provisions.

The Road Accident Fund - (RAF)

Written by Administrator

Saturday, 31 July 2010 15:46 - Last Updated Wednesday, 22 February 2012 08:56

Once this has been done, the RAF will determine the merits of the case (i.e. the degree of fault, blame or negligence to be ascribed to the driver of the vehicle and the claimant respectively). The RAF will then proceed to determine the quantum of the claim (i.e. the amount of the damages or losses suffered). If a claim is incomplete, the RAF will call for additional information and supporting documentation to enable it to better assess the matter.

The RAF will then make a settlement offer if the claim complies with all of the aforementioned criteria. If no offer is made within 120 days after the claim was lodged, or if the offer is too low, the Claimant may proceed to issue summons and litigation will commence.

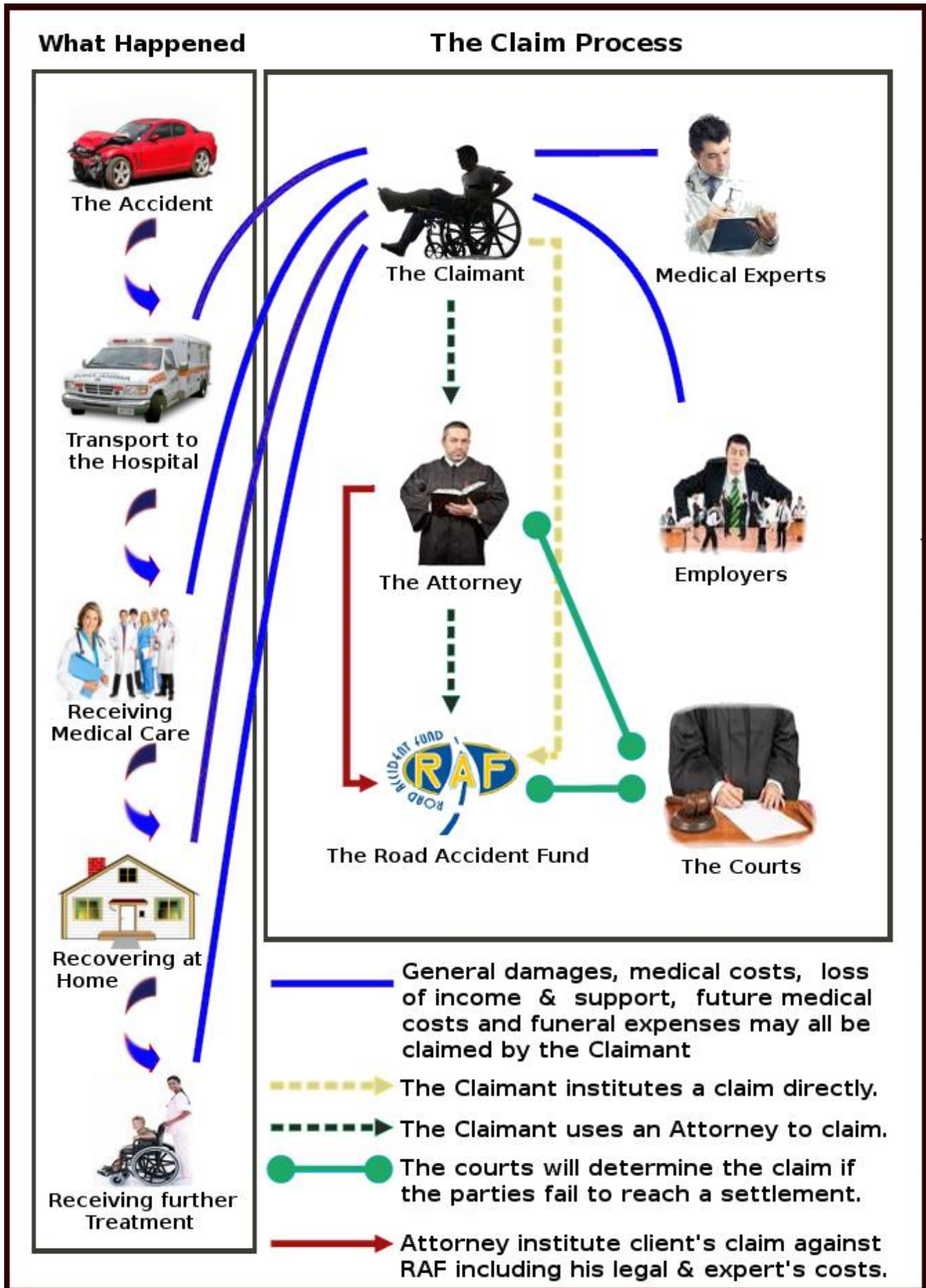
Do take note: If the claim arose after the 31st of July 2008 and general damages are claimed, a Serious Injury Assessment Report (RAF4) must be submitted to the RAF confirming that the injury sustained is serious for the purposes of the Act.

We trust that the following diagram will assist you in understanding the process involved:

The Road Accident Fund - (RAF)

Written by Administrator

Saturday, 31 July 2010 15:46 - Last Updated Wednesday, 22 February 2012 08:56



The Road Accident Fund - (RAF)

Written by Administrator

Saturday, 31 July 2010 15:46 - Last Updated Wednesday, 22 February 2012 08:56

If you [need more information on this subject matter](#), please click on one of the areas below:
[road accident fund lawyer](#), [road accident fund](#), [road accident](#), [road accident fund lawyer](#), [road accident fund](#)