



LAW SOCIETY
OF SOUTH AFRICA

PRESS RELEASE

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**LAW SOCIETY WELCOMES CONSTITUTIONAL COURT RULING ON RIGHT
TO PROPER MEDICAL CARE FOR ROAD ACCIDENT VICTIMS**

The Law Society of South Africa (LSSA) welcomes the finding by the Constitutional Court in the action brought against the Minister of Transport and the Road Accident Fund that the amendments to the Road Accident Fund Act deprived seriously injured victims of road accidents of any or decent, first-world medical care.

It is noted that the challenge to the amendment was brought by a wide range of public interest role players, including the QuadPara Association of South Africa and the National Council of Persons with Disabilities, supported by the Automobile Association and also by seven injured road accident victims.

Although the LSSA is, naturally, disappointed that

- the abolition of the common-law right to sue the negligent driver or owner for damages not covered in terms of the Amendment Act, and
- the limitation of the amount of compensation that the Road Accident Fund is obliged to pay for claims for loss of income or a dependant's loss of support arising from the injury or death of a road accident,

were not struck down by the Court, the fact that full compensation for medical and hospital costs has been restored to accident victims is a victory for accident victims, particularly for impoverished victims and those without medical aid.

***ISSUED ON BEHALF OF THE CO-CHAIRPERSON LAW SOCIETY OF SOUTH AFRICA,
PETER HORN***

by Barbara Whittle
Communication Manager, Law Society of South Africa
Tel: (012) 366 8800 or 083 380 1307
E-mail: barbara@lssa.org.za Website: www.lssa.org.za

Editor's note:

The Law Society of South Africa brings together its six constituent members – the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces, the Black Lawyers Association and the National Association of Democratic Lawyers – in representing South Africa's 20 100 attorneys and 5 000 candidate attorneys.