

**ATTENTION ALL ROAD ACCIDENT FUND LEGAL PRACTITIONERS**

The Road Accident Fund (RAF) has been refusing to accept delivery of lodgements of new claims, relying on the content of a [management directive issued on 8 March 2021](#) and recently disseminated by the RAF (and the LPC) to legal practitioners. Where claims have been delivered/accepted which do not comply with the directive, the RAF has objected to the validity of the claim and states that the lodgement does not interrupt prescription from running.

On 4 June 2021 by way of [Board Notice 58 of 2021](#), the Fund stipulated terms and conditions on which claims for compensation shall be administered in a schedule which incorporates the content of the management directive.

In the [same notice](#), relying on Regulation 7, a new Form 1 has been substituted for the existing Form 1.

The [notice](#) states that it is effective as at 1 April 2021.

The [Johannesburg Attorneys Association](#) hereby requests all practitioners whose lodgement documents have been rejected, or where objections to the validity thereof have been raised based on the directive, to notify it at [info@jaa.org.za](mailto:info@jaa.org.za) specifying whether acceptance of the claim was refused or an objection to its validity was raised after lodgement. We further confirm that the [Legal Practitioners Indemnity Insurance Fund](#) is also calling to be notified should any practitioner be placed at risk in terms of prescription by implementation of the directive.

Practitioners are also requested to advise whether urgent applications have been launched by them as a result of the implementation of the directive and if so, to provide details of the court, case number and heading.

We would like to draw your attention to the provisions of section 24(1)(b) of the Road Accident Fund Act 56 of 1996, that stipulates that 'a claim shall be sent by registered post or delivered by hand ...' thus providing an alternative method of lodgement. Proof of posting by registered post will constitute proof of lodgement.

[View the Paul Nel v RAF application and court order here.](#)

[View Mautla & Others vs RAF & Others 2021/26302 here.](#)

[Click here to view the management directive.](#)

[Click here to view the Board Notice 58 of 2021.](#)

Regards

**Tony Pillay**

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