



The South African Medico-Legal Association

THE APPLICATION TO WIND UP THE ROAD ACCIDENT FUND

1. The South African Medico-Legal Association (SAMLA) is an independent, neutral, educational and transparent organisation not for profit, funded by membership contributions, donations and funds generated through seminars and educational programmes. As stated in SAMLA's mission statement, the goals are to advance the inter-relationships between medicine and law, and to promote excellence in medico-legal practice by promoting dialogue and mutual understanding between members of the involved professions, guided by justice, ethical practice and Constitutional values. Membership of SAMLA includes judges, academics, legal practitioners, medical practitioners and other professional practitioners registered with the HPCSA (Health Professions Council of South Africa) as well as actuaries, who have an interest in the objectives of the SAMLA. Currently it has about 600 professionals as its members.
2. SAMLA has taken notice of the urgent application to the Gauteng High Court seeking to wind up the Road Accident Fund (RAF). SAMLA is aware of the challenges that have beset the RAF for the last four decades. It has, however, rendered an essential socio-economic service to the public under difficult economic and financial circumstances despite the financial and administrative challenges originating from within its own structures as well as emanating from professionals practicing in the field of the RAF's goals. SAMLA will support any feasible strategy which will result in an affordable and sustainable action plan to remedy the current crippling influences on the activities of the RAF. In pursuit of this objective, SAMLA has concluded a temporary Memorandum of Understanding with the RAF in terms whereof it has offered to mediate 50 cases instituted against the RAF without the mediators charging any fees. This project was initiated in the spirit of "thuma mina" in order to reduce the turn around time of claimants receiving equitable redress and in so doing, lessen the burden of the RAF as well as the courts.
3. SAMLA would also be supportive of any skilled professionals applying to be admitted as friends of the court ("amici curiae") to assist the court with information, expertise or statistical evidence that will have a bearing on the liquidation application. In this regard, SAMLA would encourage its members who have acquired these skills to come forward and apply to be joined as amici curiae.

Judge Neels Claassen

Non-Executive President: SAMLA

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