
GENERAL NOTICE

NOTICE 683 OF 2012**DEPARTMENT OF TRANSPORT****ROAD ACCIDENT FUND ACT, 1996 (ACT NO. 56 OF 1996)****THE ROAD ACCIDENT FUND 2nd AMENDMENT REGULATIONS, 2012**

The Minister of Transport hereby, in terms of section 26 (1A)(b) of the Road Accident Fund Act, 1996 (Act No.56 of 1996), intends to make the following Regulations as set out in the attached Schedule.

Interested persons are invited to send written comments on the draft regulations to the Director General: Department of Transport within 30 days from the date of publication hereof, for the attention of Adv Masombuka at the following address:

Email: masombuA@dot.gov.za

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The Department of Transport

Private bag x 193

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SCHEDULE

Definitions

1. In these Regulations "the Regulations" mean the regulations published by Government Notice No. R.769 and R. 770 in Government Gazette No.31249 on 21 July 2008.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by: -

(a) the substitution in sub-regulation 3(1)(b) for paragraph (i) of the following paragraph: -

“(i) Any one, or any combination, of the following injuries, are for purposes of section 17 of the Act, not to be regarded as a serious injury and no injury shall be assessed as serious if the injury meets the following description -

(aa) any whiplash type or soft tissue injury to the neck or back;

(bb) any sprain, strain, tear, crush or damage to any muscle or soft tissue;

(cc) any sprain, strain, tear or damage to any ligament of any joint unless there is continuing instability of the joint;

(dd) any lacerations, abrasion, cut, tear, or damage to skin or soft tissue;

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- (ee) any dislocation of a joint unless there is continuing instability of the joint;
- (ff) any complete or partial amputation of the little finger of either hand, or both the right and left hand;
- (gg) fracture of any finger of either hand, or both the right and left hand;
- (hh) any complete or partial amputation of any one toe of either foot or both the right and left foot unless there is partial or complete amputation of the big toe;
- (ii) fracture of any toe of either foot, or both the right and left foot;
- (jj) any damage to or loss of a tooth or any number of teeth;
- (kk) superficial burns to any part of the body;
- (ll) superficial injury to one or both eyes;
- (mm) fracture of the nasal bone or damage to the nasal cartilage;
- (nn) any scar or scars caused by any injury listed in items (aa) to (mm);
- (oo) any bruising or bleeding into the soft tissue as a result of any injury listed in items (aa) to (mm);

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- (ee) any dislocation of a joint unless there is continuing instability of the joint;
- (ff) any complete or partial amputation of the little finger of either hand, or both the right and left hand;
- (gg) fracture of any finger of either hand, or both the right and left hand;
- (hh) any complete or partial amputation of any one toe of either foot or both the right and left foot unless there is partial or complete amputation of the big toe;
- (ii) fracture of any toe of either foot, or both the right and left foot;
- (ji) any damage to or loss of a tooth or any number of teeth;
- (kk) superficial burns to any part of the body;
- (ll) superficial injury to one or both eyes;
- (mm) fracture of the nasal bone or damage to the nasal cartilage;
- (nn) any scar or scars caused by any injury listed in items (aa) to (mm);
- (oo) any bruising or bleeding into the soft tissue as a result of any injury listed in items (aa) to (mm);

(pp) any sequelae in the form of pain or discomfort as a result of any injury listed in items (aa) to (oo); and

(qq) any mild or moderate form of depression, anxiety, or post-traumatic stress disorder;

Provided that, complications arising from any one, or any combination, of the injuries listed in items (aa) to (qq) are excluded from this paragraph."

Commencement

3. These Regulations will come into operation on the date of publication in the Gazette.
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