

RAF 1

21 DECLARATION AND CONSENT

The Consent granted to the Road Accident Fund (RAF) in this paragraph authorises the RAF to obtain copies of any records and to access any information which relates to this claim for compensation and to contact any person or entity for purposes of obtaining or verifying such information and /or documentation.
I, (name and surname of claimant), declare that, to the best of my knowledge, the information provided in this Third Party Claim Form is true and correct in every respect; and
I confirm that I am claiming compensation:
in my personal capacity as a result of injuries I sustained in the accident; alternatively
in my personal and / or representative capacity as
in my personal and / or representative capacity as
(Indicate, and if applicable complete, the applicable statement above)
I hereby consent to the release, to the Road Accident Fund, of copies of all documentation and /or information, including, but not limited to, documentation and /or information of a medical or financial nature, in the possession of any person or entity, which documentation or information, in any way, relates to this claim for compensation arising from the motor vehicle accident detailed in the claim form
I further consent to, and authorise, the Road Accident Fund to contact any person or entity for purposes of obtaining or verifying such information and /or documentation.
Signature of the Claimant Signature of the Witness

RAF.



RAF 1

22 MEDICAL REPORT	
Section 24(2)(a) provides that this report shall be completed deceased person for the bodily injuries sustained by him.	eted by the medical practitioner who treated the injured or /her in the accident from which this claim arises
1. DETAILS OF PATIENT	
Name	Surname
ID Number	Date of birth
	YOUR MANAGE
2. PAST EMERGENCY MEDICAL TREATMENT	
Note that, in terms of the regulations, emergency medical justifiable medical evaluation, treatment and care required person's life or bodily functions, or both"	I treatment is defined as "the immediate, appropriate and d in an emergency situation in order to preserve the
Did the patient receive emergency medical treatment, as	defined
Yes No	
If you answered YES, please furnish the following information	ation in respect of such treatment—
What was the nature of the treatment?	
Emergency transport	
Hospital care	
ICU	
Other, if other please indicate nature of the treatment	nent
ICD 10 Code Treatment plan	
Kindly furnish the ICD 10 and a spelliable to the services	y modical treatment provided to the patient and matient and
the treatment is viewed as americans and isolateratment.	y medical treatment provided to the patient and motivate why

answer any question attach a further page(es) to this claim form in which such further information can be provided to the



	·		
MEDICAL REPORT			
3. PAST NON-EMERGENC	Y MEDICAL TREATMENT		
Note that all medical evalua treatment, is non-emergenc	tions and treatment that fail outsid y medical treatment.	e the prescribed definition of er	mergency medical
Did the patient receive non-	emergency medical treatment?		
Yes No			
If you answered YES, please In the schedule below, kindly	e furnish the following information videntify the specific ICD 10 code	in respect of such treatment. (s) applicable and describe the	treatment administered
ICD 10 Code	Treatment plan		
		, , , , , , , , , , , , , , , , , , ,	
4. PRE-EXISTING MEDICAL			
Did the patient suffer from an mental or nervous condition,	y pre-existing condition(s) (injury, i disorder or ailment).	Ilness, sickness, disease, or ot	ther physical, medical,
Yes No			
	identify the pre-existing condition impact of the injury(ies) sustained		
Pre-existing condition	ICD 10 Cd	ode	Impact of accident



MEDICAL REPORT			
5. FUTURE MEDICAL TREATMENT			
Is the patient currently receiving ongoing medical treatr foreseen that the patient would require future medical to Yes No If you answered YES, please furnish the name(s) and crendering treatment, future treatment.	reatment for such injury	v(ies)	
6. MEDICAL TREATMENT IN MEDICAL FACILITY/HC	SPITAL		
Was the patient admitted to a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment at a medical facility / hospital at the patient receive treatment	ital for such injury(ies)		
Name of Hospital / Facility	Contact number	Date admitted	Date discharged
		DEMMAYYYY	YYYY /MM//DC
		YYYY/Mi//DD	COMMINYYYY
		YYYY/MM/DD	YYYYMMIDD
		YYYYMMADD	YNYYMMIDD
7. MEDICAL PRACTITIONERS DETAIL'S			
Name	Cell number		
Surname	Postal Address		
Qualifications]		
Practice Number (HPCSA and/or BHF)	Physical Address		
Telephone number Facsimile number			



ereby declare that to the best of my	y knowledge and bel	ief the information set out in this medical report is true and
gnature of medical practitioner		
		OFFICIAL STAMP
	Signed At	
	Date	
		YYYYYMM/5D
	_	



Supplier name	Postal Address
Practice number (BHF/HPCSA)	
	Tolonkon with the second secon
ax reference Number	Telephone number
Physical Address	Facsimile number
	Cellular number _
· · · · · · · · · · · · · · · · · · ·	How would you prefer us to contact you?
	Email SMS Post Tel Cell
ompensation due to you.	you directly. Please provide bank account details for payment of
ank (Name)	Account Number
anch number	Name of Account holder
	THE CURRILED INCREDED FOR WATER
BANK ACCOUNT DETAILS OF	THE SUPPLIER REPRESENTATIVE
the suppliers claim is successful, the RAF	F will pay the compensation to the supplier directly and cost (if due) to the etails of the account into which you want the costs to be paid.
the suppliers claim is successful, the RAF pplier's representative. Please provide de	F will pay the compensation to the supplier directly and cost (if due) to the
the suppliers claim is successful, the RAF pplier's representative. Please provide de count Number	will pay the compensation to the supplier directly and cost (if due) to the etails of the account into which you want the costs to be paid.
	will pay the compensation to the supplier directly and cost (if due) to the etails of the account into which you want the costs to be paid. Bank Name



4 MOTOR VEHICLE ACCIDENT DETAILS	
In order for the RAF to assess this claim please provide the following information. Date of accident Time of accident FISAMM Place of accident (street number and name, suburb, town, province)	SAPS station where the accident was reported Accident report number Kindly attach to this claim form a copy of the accident report or a statement by the injured describing the events leading up to the accident.
5 INJURED'S / DECEASED'S DETAILS	
Title Surname	Postal Address
Name	
Date of birth	Home telephone number
YYYY/MM/DD	
ID Number:	Work telephone number
Tax reference Number	Cell number
Residential Address	Email
	(Please attach a copy of the injured's identity document or if applicable, a copy of the deceased's death certificate and the applicable inquest record / charge sheet)
6 COMPENSATION CLAIMED	
What are you claiming for?	
Category of claim Emergency medical treatment (attach original invoice	Amount Claimed
Non-emergency medical treatment (attach original invoice)	,
Total Amount Claimed	3



Note that, in terms of the regulations, emergency medical treatment is defined as "the immediate, appropriate and justifiable medical evaluation, treatment and care required in an emergency situation in order to preserve the person's life or bodily functions, or both"
Did the patient receive emergency medical treatment, as defined, Yes No
If you answered YES, please furnish the following information in respect of such treatment—
What was the nature of the treatment?
Emergency transport Hospital care
ICU
Other, if other please indicate nature of the treatment
ICD 10 Code Treatment plan
Kindly furnish the ICD 10 codes applicable to the emergency medical treatment provided to the patient and motivate why the treatment is viewed as emergency medical treatment. Should the space provided in this claim form be insufficient to answer any question you are welcome to attach a further page(es) to this claim form in which such further information can be provided to the RAF.



8 PAST NON EMERGENCY MEDICAL TREATMENT
Note that all medical evaluations and treatment that fall outside the prescribed definition of emergency medical treatment, is non-emergency medical treatment.
Did the patient receive non-emergency medical treatment,
Yes No
If you answered YES, please furnish the following information in respect of such treatment
What was the nature of the treatment?
Transport
Hospital care
Other, if other please indicate nature of the treatment
In the schedule below, kindly identify the specific ICD 10 code(s) applicable to the evaluation(s) / treatment provided to the patient and describe the treatment administered. (attach detailed invoice + medical investigation reports)
ICD 10 Code Treatment plan
9 PRE-EXISTING MEDICAL CONDITIONS
Did the patient suffer from any pre-existing condition(s) (injury, illness, sickness, disease, or other physical, medical, mental or nervous condition, disorder or ailment) that existed at the time of the accident
Yes No
If yes, please provide details.



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Name of Hospital / Facility	Contact number	Date admitted	Date discharge
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		VVI + EMMEDIO	TO THE WILLIAM
		YYYYMM/DD	YYYYWMWDD
		YAYYMM/DD	YYYY/MM/DD
		YYYY/MM/DD	YYYY/MM/DD
		YYYY/MM/DD	YYYY/MM/DD
· · · · · · · · · · · · · · · · · · ·		YYYY/MM/DD	YYYY/MM/DD
		YYYY/MM/DD	YYYY/MM/DD
		YYYY/MM/DD	YYYY/MM/DD
respect;	ua peliei tus turattuation set on	tin this form is true and	correct in every
 To the best of my knowledge a respect; 	nd belief the information set ou	t in this form is true and	correct in every
 The accommodation in a hospi were supplied to the injured pe 		atment, or goods supplie	ed, referred to herei
 I have not / the supplier has no 	t received payment from any of		
a hospital or nursing home and the supplier receive any payme			
details thereof to the Road Acci			
Signature of supplier, supplier's duly au			
epresentative or agent. Where the suppentity attach written proof of the authoris	nlier is a local		
which the signatory is authorised to sign	sation in terms of this claim form.		
which the signatory is authorised to sigr Where the supplier is represented by ar	sation in terms of this claim form.		
which the signatory is authorised to sign Where the supplier is represented by an written proof of the agent's mandate.	sation in terms of a this claim form. In agent attach		
which the signatory is authorised to sign Where the supplier is represented by ar	sation in terms of a this claim form. In agent attach	FFICIALS	

12 SUBSTANTIAL COMPLIANCE

Please complete the following information to validate your claim for substantial compliance to Section 24 of the RAF Act.

- The identity of the injured/deceased (paragraph 5).
- 2. 3. The date and place of accident (paragraph 4)
- A precise indication of the amounts claimed as compensation (paragraph 6);
- Attach specified accounts, vouchers, original invoices etc. to support your claim for medical expenses;
- 5. Complete this form as prescribed in Section 24 of the RAF Act.
- 6. Should the space provided in this claim form be insufficient to answer any question you are welcome to
- attach a further page(es) to this claim form in which such further information can be provided to the RAF. Should you require any assistance with the completion of this claim form please feel free to contact the RAF on ShareCall number 0860 2355 23 7.



RAF3

- When any person has been injured or killed as a result of the driving of a motor vehicle, the owner and / or the driver of that motor vehicle must report that accident to the Fund on this form within 14 days, failing which the compensation paid to the third party may be recovered from that owner or driver.
- Should the space provided in this claim form be insufficient to answer any question you are welcome to attach a further page(es) to this claim form in which such further information can be provided to the RAF.
- Should you require any assistance with the completion of this claim form please feel free to contact the RAF on ShareCall number 0860 2355 23

Postage will be paid by the Addressee

CHIEF EXECUTIVE OFFICER P O Box 2743 PRETORIA 0001

Name(s)	Physical address
Surname	
, ,	
D Number/Passport Number	Postal address
Citizenship	
elephone	Drivers License Number
acsimile	Date issued
Cell Number	Endorsements, if any
-mail address	Physical / mental defects, if any
	State whether you are also the owner of the vehcile



Name(s)	Cell number
Surname	E-mail address
ID Number / Passport Number	Physical address
Citizenship	
· ·	
Telephone number	Postal address
Facsimile number	
PARTICULARS OF THE MOTOR	VEHICI E
Registration number	Make
togot distribution	
Body (i.e. sedan, truck, bus etc.)	Model
Color	Year
PARTICULARS OF OTHER MOTO	OR VEHICLES INVOLVED IN THE ACCIDENT
ehicle 1	Vehicle 2
egistration number	Registration number
ame(s) and surname of driver	Name(s) and sumame of driver
elephone number / Cell number	Telephone number / Cell number
reprior of tamber y desiritations	Telephonomanner / Celimanner
ame(s) and surname of owner	Name(s) and surname of owner
nysical address	Physical address
estal address	Postal address



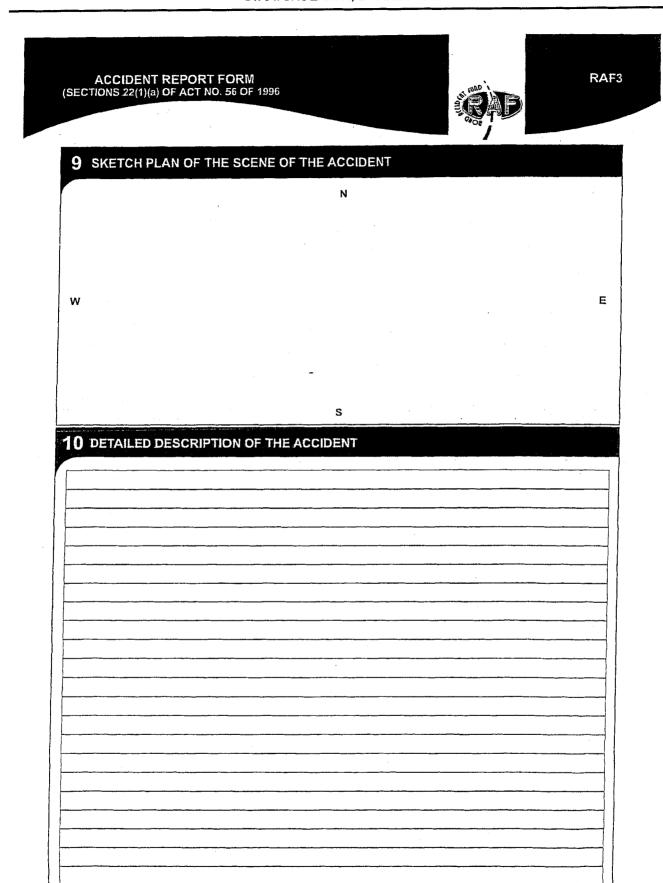
Vehicle 3	Vehicle 4
Registration number	Registration number
Name(s) and surnama of driver	Name(s) and surname of driver
elephone number / Cell number	Telephone number / Cell number
lame(s) and sumame of owner	Name(s) and surname of owner
Physical address	Physical address
ostal address	Postal address
PARTICULARS OF THE ACCIDEN hat was the date of the accident?	At which police station was the accident reported?
hat was the date of the accident?	A minor ponce station was the design in sported.
hat was the time of the accident?	What is the police reference number?
here did the accident take place?	
PARTICULARS OF WITNESS(ES)	TO THE ACCIDENT
itness 1	Cell number
me(s)	
rname	E-mail address
	Physical address
Number / Passport Number	
ephone number	
ephone number	Postal address



Witness 2	Cell number
Name(s)	
	E-mail address
Surname	
	Physical address
ID Number / Passport Number	
Telephone number	
	Postal address
acsimile number	
S PARTICULARS OF WITNESS(ES)	
5 PARTICULARS OF WITNESS(ES) Witness 3	
) TO THE ACCIDENT
5 PARTICULARS OF WITNESS(ES) Witness 3) TO THE ACCIDENT
PARTICULARS OF WITNESS(ES) Witness 3 Name(s)) TO THE ACCIDENT Cell number
PARTICULARS OF WITNESS(ES) Witness 3 Wame(s) Gurname) TO THE ACCIDENT Cell number
PARTICULARS OF WITNESS(ES) Witness 3) TO THE ACCIDENT Cell number E-mail address
PARTICULARS OF WITNESS(ES) Witness 3 Wame(s) Gurname O Number / Passport Number) TO THE ACCIDENT Cell number E-mail address
PARTICULARS OF WITNESS(ES) Witness 3 Vame(s) Surname) TO THE ACCIDENT Cell number E-mail address
PARTICULARS OF WITNESS(ES) Witness 3 Wame(s) Gurname O Number / Passport Number) TO THE ACCIDENT Cell number E-mail address
PARTICULARS OF WITNESS(ES) Witness 3 Jame(s) Jurname O Number / Passport Number	Cell number E-mail address Physical address



Person 1	E-mail address
Name(s)	7
	Physical address
Surname	
ID Number / Passport Number	7
	Postal address
Telephone number	1
Facsimile number	1
	State whether the injured / deceased was a driver,
Cell Number	passenger, cyclist or pedestrian.
7 DADTION ADOOD BEDOOMS NAMED	25054055
PARTICULARS OF PERSON(S) INJURED	DECEASED
Person 2	E-mail address
lame(s)	
· · · · · · · · · · · · · · · · · · ·	Physical address
urname	
Number/PassportNumber	
	Postal address
elephone number	
acsimile number	
	State whether the injured / deceased was a driver,
ell Number	passenger, cyclist or pedestrian.
CONDITIONS AT THE TIME OF THE ACCID	ENT
ne of day (i.e. dawn, day, dusk, night)	Street lights - on or off
eather conditions (i.e. sunny, misty, cloudy, raining, etc.)	Own vehicle's lights – off, dim, bright
, , , , , , , , , , , , , , , , , , ,	
sibility (i.e. good, reasonable, bad, etc.)	Other vehicle's lights – off, dim , bright
,9 (900), 1000, 1000, 1000,	
	Speed of own vehicle at time of accident
ad surface (i.e. gravel, sand, tar, etc.)	Soeen or own venice at time of accoreor





11 DECLARATION	
I / we hereby declare that to the best of my / our	Signature of owner
knowledge and belief the information set out in this form is true and correct in every respect.	
Signature of driver	
	Signed at
	Date YYYY/MM/DD





- A claim for non-pecuniary loss ("general damages" or "pain and suffering") will not be considered unless this (a) report is duly completed and submitted.
- The Road Accident Fund Act (Act No. 56 of 1996) requires this report to be compiled by a medical practitioner, (b) registered in terms of the Health Professions Act (Act No. 56 of 1974).
- The assessment of the serious injury should be conducted in terms of the method provided in the Regulations (c) promulgated under the Road Accident Fund Act.
- Submissions, medical reports and opinions may be submitted as annexures to this report. If any section of the form is not applicable, mark that section "N/A". (d)
- (e) (f) The impairment evaluation reports for Upper Extremities, Lower Extremities and Spine and Pelvis are annexed. If the injury caused an impairment to another body part or system, attach the report specified in the AMA Guides (6th Ed).
- In completing this report, refer to the figures, tables and page numbers from the AMA Guides (6th Ed). (g)

	100		
1 DETAILS OF PATIEN	T		
Name and Surname		Date of assessment	
ID Number		YYYY/MM/DD Date of accident	
		YYYY/MM/DD	
Claim number (if available)			
Contact number			
2 DETAILS OF MEDICA Name & Surname Practice Number (HPCSA and/		Telephone number E-mail address	
In terms of the Road Accident F Minister may publish in the Gaz purposes of section 17 of the Arthat injury meets the description with reference to the list. A copy contact the Road Accident Function Number Descript	fund Act (Act No. 56 of ette, after consultation ct not to be regarded as of an injury which apport of the latest version of	with the Minister of Health, a list serious injuries and no injury sears on the list. Once published the list is available at www.raf.c	t of injuries which are for hall be assessed as serious if , this part must be completed





4	AMA IMPAIRMENT RATING: TO BE COMPLETED IF INJURY IS NOT ON LIST OF NON-SERIOUS INJURIES
4.1 [Describe the nature of the motor vehicle accident
4.2	Medical Treatment rendered from date of accident to present
4.3 (Current symptoms and complaints
4.4 [viagnosis
4.5 C	onclusion regarding Physical Examination
	onclusion regarding Clinical Studies. (Review and document actual studies and findings from relevant agnostic studies, Imaging including X-rays, CT,MRI,etc)
.7 Me	edical History
.8 So	cial and Personal history



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4 AMA IMPAIRMENT RATING: TO BE COMPLETED IF INJURY IS NOT ON LIST NON-SERIOUS INJURIES	OF
4.9 Educational and Occupational history	
4.10 Has the patient reached MMI?	
4.11 Specify details regarding apportionment, if any	
-	
	·
4.12 A clear, accurate, and complete report must be provided to support a rating of impairment with	
reference to clinical evaluation analysis of findings and discussion of how the impairment rating was ca	lculated.
The following impairment evaluation reports are annexed:	
Annexure A: Upper Extremities (Chapter 15)	
Annexure B: Lower Extremities (Chapter 16)	
Annexure C: Spine and Pelvis (Chapter 17)	
4.13 Exceptions	
·	

5 SERIOUS INJURY: THE NARRATIVE TEST

If the injury is not on the list of non-serious injuries and did not result in 30 per cent Whole Person Impairment, as provided in the AMA Guides, consider whether the injury resulted in any of the consequences set out below. Provide full details. If necessary, support the opinion with reports attached as annexures.

- 5.1 Serious long-term impairment or loss of a body function
- 5.2 Permanent serious disfigurement
- 5.3 Severe long-term mental or severe long-term behavioural disturbance or disorder
- 5.4 Loss of a foetus



6 DECLARATION	
I declare that to the best of my knowledge and belief the inf	ormation and opinions set out in this report are true and
Signature of Medical Practitioner	
	OFFICIAL STANF
Signed at	
Date	YYYYMM/DD

ANNEXURE A - UPPER EXTREMITY IMPAIRMENT EVALUATION

Name:								E	xam D	ate:	_
ID Number		!	Sex: F	M		Side: R	L .	6	irth D	nté:	
Diagnosis:								li	jury E	ate:	
	Policinaria intinto	n at the trade at					· · · · · · · · · · · · · · · · · · ·			1.	
Gride	Diagnosis/(Based Impairmen		gned C	1	Trade Ma	difier Adjus	t ordin	nnec :	Assigned Dx Grade	final UEI
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Peripheral Nerve/ Entrapments		1 1 1									
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Entrapment	Sensory Deficit 0 1/2 3 4 Motor Deficit 0 1/2 3 4 Electrodiagnos	ก/อ	0 1 Motor	ry Defici 2 3 1 Deficit 3 4 n	4	GMCS 0	1234 1234 1234 1234	n#		Sensory A.B.C.D.E Motor: A.B.C.D.E Average: Functional Grade: Normal Mild: Moderate Severe	
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oints	Assigned Class	Adjustments			Assi	gned Grade	final UEI		5-	Shoulder	
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evel	Assigned Class	Adjustments			usig	ned Grade	Final UEI				
	01234	FH 0 1 2 PE 0 1 2 GS 0 1 2	3 4 n/	/a	B	C D E			Summ	nary osis-Based Impairment	Final UEI
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ombined ÜEI								۰		Person Impainment	
ned:	N	ame (Print):			_ D.	ate:		L	Regian	al Impairments	

ANNEXURE B - LOWER EXTREMITY IMPAIRMENT EVALUATION

Name:								Exam Da			
19 Number:	<u> </u>		54	¥: F	М	Side: R		Birth Da			
Olagnosis:								injury D	ate:		
	Diec	mosis-Ba	ed Impairments	.1					I	Ι.	
Gride		nasis / Crit	, , , , , , , , , , , , , , , , , , , 		ed Class	Grade Mod	ifier Adjusti	nents	Assigned Dx Grade	Fin.	al UEI
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		ined UEI			-	SOMILE -COX	+ (UM163 - CI3.	4.4			
Peripheral Nerve/ Entrapments									Section 1.		
Nerve		ry and Mo	or Grading	Assigne	d Class	Grade Modi	fier Adjustre	ents.	Assigned Dx Grade	Cor	nbined UEI
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intrapment.	Electro	odiagnostic			-	Test 0 History 0 Physical 0		mia nia nia	Average; Eunctional Grade: Normal Mild Moderate Severe		
CRPS (mpairment						igned Grade	Final UEI	A S	djustment hbraviations -Shoulder		
oints		ed Class	## 0 1 2 3 PE 0 1 2 3 CS 0 1 2	4 n/a		CDE		N H D G	= Bibow / = Wrist = Hand = Digit MFF = Grade Modifier MPE = Grade Modifier		
Imputation	T		*						MCS = Grade Modifier		
evel	Assign	ed Class	Adjustments			igned Grade	Final UEI				
	01	234	FH 0 1 2 PE 0 1 2 CS D 1 2	3 4 nJa		PCDE	,	1	mary nosis-Based Impairmen	ıt.	Final UEI
	L				<u></u>		L	Perip	heral Nerve		
Notion								Entra	pment		
oint		Total UE	Ass	igned Ci	356			CRPS	(Stand-alone)		
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		 		1 2 3	= (Combined Impairment		
		<u> </u>	10	14.3	=		1		e Person Impairment	-	 أ
ombined UEI		<u> </u>			— .				onal impairments	\dashv	
med:		Nas	me (Print):			Date:		Legis	was unibacturents		

ANNEXURE C - SPINE AND PELVIS IMPAIRMENT EVALUATION

Name:				Exam Date:		
ID Number:	_	Sex: F	M Side: R L	Rirth Date:		
Diagnosis:				Injury Date:		
	Diagnosis-Based Impairments					
Grid	Diagnosis / Criteria	Class Diagnosis (CDX)	Grade Modifier Adjustments	Net Adjustment Value and Assigned Grade Modifier	Whole Person Impairment	
Cervical (C)		01234	GMFH 0 1 2 3 4 n/s GMRE 0 1 2 3 4 n/s GMCS 0 1 2 3 4 n/s Net Adjustment = (GMFH - CDX) + (GMPE - CDX) + (GMPC - CDX) + (GMPC - CDX)	Adjusted Grade = Net Adjustment applied to Default Value C S2 -1 0 +1 S2 A B C D E		
Thoracic (T)		01234	GMFH 0 1 2 3 4 n/a GMPE 0 71 2 3 4 n/a GMCS D 1 C 3 4 n/a	Adjusted Grade 22 4 0 4 2 A B C D E		
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NOTIFICATION OF DISPUTE



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NOTIFICATION OF DISPUTE





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NOTIFICATION OF DISPUTE RAF5

NOTIFICATION OF DISPUTE IN RELATION TO THE ASSESSMENT OF A SERIOUS INJURY

HOW DISPUTE RESOLUTION WILL HELP YOU?

In terms of the Act and the Regulations your claim for non-pecuniary loss must be supported by a serious injury assessment report, indicating that the injury has been assessed as serious by a medical practitioner and the Fund must be satisfied that the injury has been correctly assessed as serious.

What disputes are covered by the dispute resolution service?

Dispute resolution helps you if:

- the medical practitioner has assessed your injury as "not serious"; or
- if the Fund has rejected a serious injury assessment report by a medical practitioner in terms of which your injury has been assessed as "serious".

You must indicate on the form whether you wish to dispute the assessment of the medical practitioner or the rejection of the report by the Fund. If you disagree with either of these, you may lodge a dispute with the Registrar of the Heath Professions Council of South Africa ("the HPCSA").

When must a dispute be lodged?

Within 90 days of being notified of the outcome of the assessment or being notified of the rejection of the serious injury assessment report and the reasons therefore, failing which you may apply to the Registrar of the HPCSA for approval (condonation) for late notification.

How does the dispute resolution process work?

- Your notification must be lodged with the Registrar together with all the submissions (argument), medical reports or opinions (expert advice) that you want to rely on.
- b) After you lodge your dispute, the Registrar must then inform the Fund of the dispute and give the Fund copies of all the documentation submitted by you.
- The Fund then has 60 days to answer your case by giving the Registrar their submissions, medical reports or opinions.
- d) After this, the Registrar will then inform you about the names of the medical practioners appointed to decide your dispute. You may object to these appointments if you wish to do so.
- e) If asked to do so, the appeal tribunal may say that legal arguments should be made on certain issues and an attorney or advocate will then be appointed to hear such argument.
- f) The appeal tribunal is given extensive powers under the regulations to enable them to deal with the dispute:
- The tribunal may tell you that you have to undergo another assessment by a medical practitioner for which the Fund will pay.
- The tribunal may say that you must appear before them so that they can examine your injury for themselves.
- The tribunal may ask you for further submissions or medical records.
- g) If asked to do one of the above, you should comply with the request, otherwise the appeal tribunal may refuse to decide your dispute.
- h) Ultimately, the appeal tribunal will decide your dispute and you will be informed of the outcome by the Registrar. The Fund will be obliged to accept the findings of the appeal tribunal.

How long will it take?

The appeal tribunal, appointed by the Registrar of the HPCSA to consider your dispute, must publish its findings within 90 days from the date that the dispute is referred to it, which will normally be done after the Fund has answered your case.

For further information please phone the Road Accident Fund on ShareCall-number: 0860 235 5523