

PORTFOLIO COMMITTEE ON TRANSPORT  
VALERIE CARELSE.

RE: ROAD ACCIDENT FUND

I AM A SINGLE MOTHER OF 53 YEARS AND HAVE BEEN FIGHTING A RAF CLAIM BATTLE SINCE 2007. I AM STILL ANGRY AND DISAPPOINTED WITH THIS MATTER.

MY RIGHTS TO EQUALITY, SAFE TRANSPORT, RIGHT TO APPEAL, CHANCE FOR REDRESS HAVE BEEN GROSSLY VIOLATED.

I AM GRIPPED BY FEAR SINCE THAT ACCIDENT. EVERYTIME I USE PUBLIC TRANSPORT ESPECIALLY A TAXI I RELIVE THAT DAY. BOARDING A TAXI IS A NIGHTMARE.

I HAVE BEEN TRAVELLING TO THE RAF OFFICES FOR TWO AND A HALF YEARS PRIOR TO THE "SETTLEMENT" THE ACCIDENT RESULTED IN ME BEING ABSENT FOR WORK FOR FIVE MONTHS.

BECAUSE I DONT RECEIVE CHILD GRANTS OR CHILD MAINTENANCE I HAD TO MAKE ENDS MEET BY USE OF LOANS. MY BIGGEST CHALLENGE HAS BEEN PAYING FOR COLLEGE REGISTRATION, TRAVELLING EXPENCES BOOKS, FEES, EXAMS & FOOD.

I AM STILL RECEIVING TREATMENT FOR THE DAMAGE TO MY BRAIN AT GROOTE SCHUUR HOSPITAL. MY ARM WHICH HAS A NERVE SEVERED IS LAME MAKING LIFE DIFFICULT FOR ME.

MENTALLY GET TIRED OFTEN, FORGETFUL AND SUFFER FROM BLACK-OUTS OCCASSIONALLY. COLD WEATHER AND HEAT CONTRIBUTE TO PAIN IN MY HEAD.

I CANNOT HANDLE PRESSURE LIKE I USED TO,  
MY BLOOD BOIL AT ANY GIVEN TIME.

THE QUESTIONS I WOULD LIKE ANSWERED  
ARE 1. WAS I NOT PAID OUT BECAUSE I CLAIMED  
FOR MYSELF? 2. DO SELF-CLAIMANTS NOT GET MONEY  
FOR PAIN & SUFFERING & DAMAGES? 3. DOES A  
LOSS OF EARNING PAYMENT MEAN FULL PAYMENT  
FOR A CLAIM? 4. CAN I REOPEN MY CASE  
WITH THE HELP OF A LAWYER? PLEASE HELP.  
IF I NEED HELP. 5. IS THE 'ACT TRUE' (THE RAF  
ACT 56 OF 1996)...<sup>c</sup> THE RAF COVER ALL PERSONS  
WITHIN SA, FOR DAMAGES TO ~~TO~~ CLAIMANTS  
BY NEGLIGENT DRIVERS."

JILLIAN MTSHAYI

0791602362

0766249316

NY 101 No 34.

SECTION 4

GUGUKETU.

MTSHAYI, J  
OFFER & ACCEPTANCE OF SETTLEMENT

Date: 29/08/2007

The RAF hereby offers, without prejudice or admission of liability, in full and final settlement of your claim, the amount as set out hereunder:

CLAIMANT : MTSHAYI, J  
YOUR REF : RAF CLAIM  
OUR REF : 48/745960/02/0

Link NO:1831088 Version NO:1

## SECTION A: CAPITAL PAYMENT DETAILS AND BREAKDOWN

Loss of Earnings	R 11 775.00	R 0.00	R 11 775.00
SUB-TOTAL			R 11 775.00
Plus: Costs Contribution including Disbursements			R 11 775.00
Expert Contribution		R 434.00	R 434.00
Attorney Contribution		R 0.00	
TOTAL CAPITAL			R 12 209.00

## SECTION B. CAPITAL

Payment of the capital sum of R11 775.00 will be paid on the 28th day of the month following receipt of this form signed by the Claimant/Representative.

## SECTION C. COSTS (\* DELETE WHICH IS NOT APPLICABLE)

- \* 1) Payment of the capital sum of R434.00 as cost contribution, ALTERNATIVELY,
- \* 2) Payment of the Claimant's taxed or agreed party and party costs, on the appropriate scale, will be paid on the 28th day of the month following the settlement of the costs

## SECTION D: ACCOUNT DETAILS:

Name of Account Holder : MTSHAYI, J  
Branch : 051001 TYGER MANOR  
Type of Account : SV SAVINGS ACCOUNT  
Account Number : 074384910

I warrant that I have fully disclosed to the RAF all costs due to any supplier.

I further warrant that where I am entitled to payment under the Occupational Injuries and Diseases Act., ex contractu/lege payments by my employer, pension/provident fund payments, insurance payments, medical aid/insurance payments, any benefit from the state/social services or any other collateral or accelerated benefit, I have fully informed the RAF of all payments received and to be received.

I understand the meaning and extent of this Offer and Acceptance Notice and confirm that it records the full and final agreement between the RAF and me. The RAF is discharged from all liability pertaining to the loss suffered in the above mentioned accident.

This offer can only be accepted by full completion and on receipt of the signed original document. Any amendment to this form will not constitute settlement of this claim unless such amendment is expressly agreed on by the Fund.

This offer is only valid for a period of 30 days from date of offer, or until the date preceding the date of prescription of the claim, whichever date occurs first.

If this offer was made after prescription of the claim, it will be deemed to be a bona fide error and acceptance thereof will not be enforceable.

Board of Directors  
Mr Vell S. Mahlangu (Vice-Chairperson),  
Ms Kaaleboga E. Moloto-Stoffie, Mr. Todani Moyo, Prof. Caspar J.B. Greeff, Dr. Aslam K.A. Daboo,  
Ms Grathel H. Moxau, Mr Sifiso A. Msibi, Ms Khubi R. Manana, Mr Jacob R.D. Modise (Chief Executive Officer)

HEAD OFFICE:  
 38 Ida Street, MEMO PARK  
 PRETORIA, 0081  
 P/BAG X2003, MEMOYN, 0063  
 DOCEX: 500 PRETORIA  
 Tel: (012) 429 5000 • Fax: (012) 429 5500

DURBAN:  
 12th Floor, The Embassy Building  
 199 Smith Street, DURBAN, 4000  
 P/BAG X54371, DURBAN, 4000  
 DOCEX: 370 DURBAN  
 Tel: (031) 365 2800 • Fax: (031) 365 2900

CAPE TOWN:  
 8th Floor, 1 Tribault Square,  
 Long Street, CAPE TOWN, 8001  
 PO Box 2443, CAPE TOWN, 8000  
 DOCEX: 167 CAPE TOWN  
 Tel: (021) 408 3300 • Fax: (021) 419 7417

The RAF further reserves its right to withdraw this offer at its own discretion

PRETORIA - Branch  
 SANLAM CENTRE, 252 Andries Street  
 PRETORIA, 0002  
 PO BOX 2743  
 PRETORIA, 0001  
 DOCEX: 119 PRETORIA  
 Tel: (012) 392 5000 • Fax: (012) 392 5001

JOHANNESBURG:  
 MARBLE TOWERS, 29th Floor  
 212 Jeppe Street  
 JOHANNESBURG, 2000  
 P/BAG X02, JOHANNESBURG, 2000  
 DOCEX: 426 JOHANNESBURG  
 Tel: (011) 223 0000 • Fax: (011) 223 0100

EAST LONDON:  
 METROPOLITAN BUILDING, 4th Floor  
 c/o Drury Lane & Caxton Street  
 EAST LONDON, 5201  
 P/BAG X9000, EAST LONDON, 5200  
 DOCEX: 85 EAST LONDON  
 Tel: (043) 702 7800 • Fax: (043) 702 7850



Acceptance of this offer will only be deemed valid acceptance if it is accepted in its totality. Acceptance on one or more aspects of the offer (such as merits or quantum only, or only selected heads of quantum) will be regarded as a counter offer by the claimant, and will not be deemed to constitute a valid agreement, unless the Road Accident Fund expressly accepts the counter offer.

SIGNED AT Cape Town ON THIS THE 1<sup>ST</sup> DAY OF OCTOBER 2007

CLAIMANT [Signature]

AS WITNESSES: 1. [Signature]

2. [Signature]

Prepared by [Signature] JACKIE SMALL jackies@raf.co.za

Signature \_\_\_\_\_

Date Prepared: 29/08/2007