

FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

(Incorporating Fish Hoek, Clovelly and Sun Valley)

~~65B Central Circle, Fish Hoek 7975~~

Web: <https://www.fhvrta.org.za/> Facebook: www.facebook.com/FHVRRA/

Heritage Western Cape: Conservation Body

TO: LINDIWE TWALA at twala@dot.gov.za
TREVOR MPHAHLELE at mphahlelet@dot.gov.za

SUBJECT: ROAD ACCIDENT FUND AMENDMENT BILL

DUE DATE: 8 OCTOBER 2023

We, the Fish Hoek Valley Ratepayers & Residents Association (FHVRRA), feel that, currently, the Road Accident Fund (#56 of 1996) is being abused and is inefficient. We agree that something needs to change.

With the proposed changes in "Section 3 Object of Fund" changing from "loss or damage wrongfully caused by the driving of motor vehicles" to something nebulous as "social benefits to the victims of motor vehicle accidents which occurred on a public road" [and only on a public roads] makes us feel that every motorist / owner / operator should rather be required have motor vehicle insurance, including uninsured motorists coverage in that policy, a form of comprehensive insurance (to cover insured motorists where uninsured motorists are still driving on our roads). Proof of insurance may be requested when motor vehicle licences are renewed and at road blocks.

With the proposed change of Section 17 (1) (a) from "compensation" to "benefit", this fund ceases to be an insurance fund covering road accidents. "Compensate" means to fully financially cover any loss or damage, whereas changing to "benefit" will most likely fall far short of covering for the loss suffered as originally intended. In fact, examples of social benefit include building a new public park, providing skills training to the public and are based on the demands of the society.¹ The fund should then be renamed to a charity or grants-in-aide providing benefits. Ditto removal of "compensation" in Sections 9, 19, 23, 24 and 25.

We don't understand the repealing of Section 8. If there are no agents, will administrators of the fund provide this function?

We strongly oppose the deletion of Section 14 subsection (2). Without oversight by the Auditor-General and a weak or non-existent Public Protector, this fund will be another captured fund subject to misuse.

¹ <https://www.studysmarter.co.uk/explanations/microeconomics/market-efficiency/social-benefits/#:~:text=Examples%20of%20social%20benefits%20are%20a%20new%20park,infectious%20diseases%20that%20help%20to%20create%20herd%20immunity.>

SUMMARY

The Fish Hoek Valley Ratepayers & Residents Association (FHVRRA) objects to:

- changing the Act 56 of 1996's wording from “compensation” to “benefit”; and
- the deletion of oversight by the Auditor-General.

NAME & SURNAME	<i>Brian Youngblood, Chair: Fish Hoek Valley Residents and Ratepayers Association (FHVRRA)</i>
CONTACT NUMBER	<i>Cell: 084 399 9933</i>
E-MAIL ADDRESS	<i>FishHoekRRA@gmail.com</i>
SIGNATURE	
DATE	23 September 2023