

THE ROAD ACCIDENT FUND AND SERIOUS INJURIES: THE NARRATIVE TEST**M Slabbert*****H J Edeling*****SUMMARY**

The Road Accident Fund Amendment Act 19 of 2005 came into effect on 1 August 2008. This Act limits the Road Accident Fund's liability for compensation in respect of claims for non-pecuniary loss to instances where a "serious injury" has been sustained. A medical practitioner has to determine whether or not the claimant has suffered a serious injury by undertaking an assessment prescribed in the Regulations to the Act. The practitioner has to complete a RAF 4 report. In doing so the practitioner must assess the injury in terms of the *American Medical Association's Guides to the Evaluation of Permanent Impairment* (6th ed). If the injury is considered to have resulted in less than 30 per cent of the whole person impairment the medical practitioner should apply the narrative test. The article focuses on the narrative test but also discusses reasons why the regulations do not fulfil the requirements of the Act; reasons why the *Guides* is not adequate to the task; the impact of the circumstances of an injured person on disability; problems with the existing wording of the narrative test; shortcomings on the RAF 4 form; the administrative process as well as the appeal tribunals.

KEYWORDS: Road Accident Fund, serious injuries, non-pecuniary loss, permanent impairment

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