

Association for the Protection of Road Accident Victims

## New Year's greetings from the APRAV team!

I hope everyone had a wonderful festive season and that you are ready for a successful 2019. APRAV has already been active throughout the month of January. We know that 2019 will be the year to move beyond simply resisting the RABS Bill, but to move the industry forward to find solutions for the current RAF system.

Recapping from our last update, sent 7 December 2018. RABS is still an unapproved Bill of Parliament, despite a massive onslaught by the Department of Transport, it's Minister and the ANC, to force RABS through Parliament early December 2018.

This means that they can only, around the 1<sup>st</sup> week of March 2019, even attempt to 'bring it back' to Parliament. The immediate consequence is another year added to the rights of road crash victims, the protection of common law in and the continued existence of our industry.

We have no doubt that Government and the ANC will strategise and come back in March 2019 'all guns blazing' ....but so will we!

Stay up to date by reading our latest newsletter.

### Inside this issue

Welcome 2019  
Recap Dec 2018  
Current activities  
Plan 2019

*"At that point we thought it was game over..... but we've since received information that the bill has lapsed as per National Parliament Rule 331(2).*

*See for yourself—  
<https://bit.ly/2SbtSgc>*

### What's up with RABS?

#### Bills

-  Bills Before Parliament (updated: 14th December 2018)
-  Proceedings on Bills (updated: 14th December 2018)



PARLIAMENT  
OF THE REPUBLIC OF SOUTH AFRICA

Listed below are bills currently marked as **currently before Parliament**.

1	Bills in the National Assembly	[B8-2017] (Traditional Leadership & Governance Framework).pdf	2019-01-09	4
2	Bills in the National Council of Provinces	[B8D-2017] (Traditional Leadership & Governance Framework).pdf	2019-01-09	4
3	Bills that have been withdrawn			
4	Bills that have lapsed	[B17B-2017] (Road Accident Benefit Scheme).pdf	2019-01-09	4

The APRAV Team



## Events during the first week of December

- The ANC placed the RABS Bill on the National Assembly Order Paper three times in one week. It served on the floor twice and was blocked both times.
- On the Tuesday and Thursday, it was pushed to a vote in Parliament and on both days, the ANC could not get a positive vote.
- On both days **all** minority parties unanimously resisted the RABS Bill and walked out of Parliament to deny the ANC the quorum they legally require (201 MP's in the house). They were 'short' 22 and 26 respectively.
- This a **first since 1994!** We thank all these informed MPs – 'you stood up and was counted by the people; and found worthy of their respect and trust'. **History was made!**

Right after the no-vote, we bumped into a prominent ANC member of the Portfolio Committee on Transport. He said "We (PoCT & APRAV) will meet again next year but we (PoCT) will listen carefully this time."



# January 2019 – we've been busy



The APRAV Exco has already had various meetings in January to formulate a draft plan of action for 2019!

## Key focus areas for the year

- (1) Keep RABS a Bill
- (2) Communication
- (3) Raise funds
- (4) Solutions

A **National Solutions Task Team**, under Prof Hennie Klopper's guidance is arranged for 1 February to validate the 2019 plan and to allocate responsibilities. The Regional Task Teams will then work on finding solutions for the burning issues in the current RAF system.

## Dates for the 1st Task Team meetings:

- |                  |                                       |
|------------------|---------------------------------------|
| • Western Cape   | February date will be confirmed still |
| • Gauteng        | 13 February                           |
| • Free State     | 20 February                           |
| • Kwa-Zulu Natal | 22 February                           |

The detail, including the work agenda, will be circulated via the Provincial Coordinators within the next few days.



# Key strategic drivers for 2019



In keeping with our strategic approach of the past 5 years, we firmly believe that RABS should either be stopped or significantly amended.

RABS should not be allowed to become a law and then the industry must try to 'play catchup' and have the courts as the only sensible remedy left. We would rather have a 'negotiated' solution based on compromise, but that is sustainable, affordable and accepted by all.

- 1. Keep RABS a Bill**
- 2. Communicate better**
- 3. Raise adequate funding**
- 4. Solutions to industry problems**



# Key drivers – in detail



## **Keep RABS a Bill** (keep on fighting)

- Ensure that the RABS Bill, in its current form, is not approved by Parliament
- Remain the gatekeepers of the Portfolio Committee of Transport for any RAF and RABS matters
- Keep engaging all relevant Members of Parliament and Governmental bodies on finding solutions for the RAF system
- “Do whatever it takes!”

## **Communication** (start to talk more)

- Significantly improve communication
- In-source professional services to assist with this
- Launch a national social media campaign
- Start to counter one-sided Department of Transport/RAF ‘flooding’ of the media with their anti-attorney and medical expert messages
- Have an interactive website that is constantly updated with relevant content

## **Raise adequate funding**

- Move beyond doing the bare minimum on a shoe-string budget
- Be able to do all that is needed to prevent RABS and to facilitate sustainable and positive change in the medico-legal industry
- For this we need money! Your money!

## **Solutions**

- The tide is turning from just making ‘war on RABS’ to driving solutions to the RAF system
- We have a standing invitation by the ANC Study Group to submit solutions to them. The ‘new’ Minister of Finance requested the same.
- After the dramatic week early December in Parliament, members of the Portfolio Committee said “let us solve the problems, we will now listen to you”.
- The medico-legal industry must head this call – APRAV will get the ball rolling via its regional Task teams. These are simply platforms to facilitate that all relevant stakeholders start to talk and work together!
- Once there is enough momentum in the industry, APRAV will stand back.

# Focus on funding



## Key activities to be funded:

- Travel and accommodation for attending Portfolio Committee meetings in CT
- Obtain legal opinions
- Obtain services from Counsel
- Commission required research to support solutions
- Support the ongoing HAWKS investigation into widespread internal fraud in the RAF
- Support on the national social media campaign
- Ongoing prudent financial administration of APRAV (financial administrator & external auditor)
- Day to day operations of APRAV
- and more...

## How you can contribute: funding options

- Once off (significant) contribution
- Fund a specific activity(s)
- A debit order for regular contribution

***“I will be happy to visit you and discuss what is sensible for your organisation to financially assist APRAV” – Pieter de Bruyn, Chairperson of APRAV***

All contributions are welcome, however small they may be! This is how we managed for almost 5 years. However, what we have to do and achieve in 2019 will require substantially more funding than our previous modest budgets.

**APRAV is fighting for the survival of a R33b industry and we have no funds  
....something is wrong here!**





## Parliament calendar 2019 (term 1 draft)

Follow the parliamentary programme - <https://bit.ly/2WefVwV>



Photo courtesy of [STIL](#) on [Unsplash](#)

## RABS bill – latest version - <https://bit.ly/2FKYpv9>

**We all have to take charge and ensure the industry transform to become more accessible, affordable and supportive of the road accident victim's/publics rights!**