



# PUBLIC LIABILITY (POTHOLE) CLAIM FORM

## WITHOUT PREJUDICE OF RIGHTS

Please complete the attached claim form and the following substantiating documents **MUST** accompany your claim:

- Letter of demand from the claimant.
- A clear certified copy of your ID document.
- A clear certified copy of your drivers' license if the owner and driver of the vehicle is the same person.
- A clear certified copy of the drivers' license of the driver of the vehicle if not the same as the owner of the vehicle.
- The registration details of the vehicle.
- If the driver is not the owner of the vehicle the owner must give a written declaration stating that the driver used the vehicle with his / her consent.
- If the vehicle is insured a letter from the insurance company stating that the damage was not claimed or will not be claimed from them.
- If the vehicle is not insured an affidavit stating that there is no insurance cover on the vehicle being claimed for.
- Three written quotations for the repair of the vehicle.
- Stamped Banking Details.
- Police Report (optional).
- Statements of witness (if any).
- If the claim is instituted by an insurance company, an assessor's report and final repair invoice.
- If the vehicle had to be towed, the invoice in respect of the towing.

The following information will assist in assessing the merits of the claim:

- Photos of the actual damage.
- Photos of the actual pothole.
- A sketch of the actual location of the pothole with street names or landmarks in close proximity.
- More information may be required if necessary.

**Institution of legal proceeding against certain organ of state Act 40 of 2002 Part2 (ss3-6)-**

A notice must -

- (a) Within 6 months from the date on which the debt became due, be served on the organ of state in accordance with section 4(1)
- (b) briefly set out -
  - (i) the facts giving rise to the debt; and
  - (ii) such particulars of such debt as are within the knowledge of the creditor.

**Please note that each claim is assessed on its own merits and acceptance of the claim information does not imply automatic acceptance of liability or commitment to the settlement of the claim. The insurers will, at their own discretion, appoint assessors or any other specialist to conduct further assessments or investigations into the claim. The insurers will make a ruling on the claim as soon as all information relating to the incident has been received and the claimant will be notified in writing of the outcome of the claim.**

**PUBLIC LIABILITY CLAIM FORM (POTHOLE)****DETAILS OF THE OWNER OF THE VEHICLE**

Name and surname	
I D Number	
Tel Home	
Tel Work	
Tel Cell	
Fax No	
E Mail Address	
Postal Address	
Physical Address	

**DETAILS OF THE DRIVER OF THE VEHICLE IF DIFFERENT FROM THE OWNER**

Name and surname	
I D Number	
Tel Home	
Tel Work	
Tel Cell	
Fax No	
E Mail Address	
Postal Address	
Physical Address	

**VEHICLE DETAILS**

Model	
Type	
Registration Number	

**SAPS INFORMATION (ONLY IF REPORTED TO SAPS)**

Police Station and Tel No	
SAPS Case Ref No	
Date Reported	

**INSURANCE DETAILS (IF VEHICLE IS INSURED)**

Insurance Company	
Policy Number	
Contact Details / Person	

