Evidence of negligence needed, writes Channel Payet

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Evidence of negligence is needed in order to claim for damages related to potholes. In a declared claim, the claimant must state the exact location of the incident, what the damages or losses were, and any proof of financial compensation. The claimant must also indicate the municipality or entity responsible for the incident. In addition, the claimant must provide a sworn affidavit stating that they were not at fault and that the damages were caused by the municipality.

Perushan Naicker

Perushan Naicker, an economist, said he had written to the Minister of Transport, Civil Aviation and Tourism, asking for information on the number of pothole claims and the amount paid out. He said that the Department of Transport had not responded to his request. Naicker said that the Department of Transport should be held accountable for the damages caused by potholes.

Pothole claims: Two drivers relate their experiences

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You can claim for damages

People can claim from the eThembuleni Municipality if their vehicle is damaged by a pothole. A claim is required before the municipality is able to assess the damage. The claim form must be filled in and returned to the eThembuleni Municipality. The contact details of the claimant will then be recorded.

Evidence of negligence needed

An insurance agent or solicitor must be appointed to represent the claimant and to ensure that the necessary evidence is gathered. The claimant may need to provide proof of financial compensation, such as a copy of the insurance policy or a receipt for the repairs.

The claim will be assessed by the municipality and an estimate of the cost of repairs will be provided. If the claim is successful, the municipality will pay for the repairs. If the claim is unsuccessful, the claimant may need to seek legal advice.

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