

# CLAIM NOTIFICATION

## NOTE 1

The Company is not at risk until such time that we confirm cover in writing. Please note that no further monies over and above the excess as per the Schedule of Insurance are recoverable from the Member, unless otherwise agreed between the Member and Attorney as set out herein.

## NOTE 2

The following are examples of matters not covered by the policy.

(See clause 35 for Exclusions)

1. In terms of SUBJECT MATTER:

1.1 Commercial acts;

1.2 Defamation or crimen injuria of the Member;

1.3 An existing or past marriage or a union resembling a marriage;

1.4 Any matter capable of resolution through an administrative body, without the need for legal representation;

1.5 An offence for which an admission of guilt fine is payable;

1.6 An offence similar to one of which the Member has been found guilty in the three or six years preceding the present charge, depending on the charge.

2. In terms of ELEMENTS OF TIME:

2.1 Matters in which the first relevant Fact giving rise to the matter, occurred prior to Commencement of Cover.

## NOTE 3

THE MEMBER includes:

▶The person in whose name the Application is completed ("the Applicant");

▶The spouse or partner named in the Application;

▶The Member's children under 18 (eighteen) years of age;

▶The Member's children between 18 (eighteen) and 21 (twenty-one) years who are studying fulltime at a school, college or university and who are financially dependent on the Applicant and spouse or partner.

## NOTE 4

A Serious Offence is murder, rape, robbery, sexual or physical abuse of children, assault with intent to do grievous bodily harm, dealing in narcotic drugs, kidnapping, bribery, extortion, blackmail, corruption, housebreaking, breaking and entering, theft and fraud, or an attempt to commit any of those crimes. If a Criminal Matter is a Serious Offence, we only pay Legal Expenses if:

▶The Member has not claimed Legal Expenses from Us for a Serious Offence at any stage in the past; and

▶The Member has not committed a Serious Offence in the previous six years.

If a Criminal Matter is not a Serious Offence, Legal Expenses will only be paid if the Member has not committed a similar offence in the previous three years.



Legal Power and Protection

# CLAIM NOTIFICATION

LegalWise Building, cnr Goldman Street & 2nd Avenue, Florida. PO Box 1524, Florida 1710. Tel (011) 470 4000, Fax (011) 674 5256.

Kindly ensure that this entire form is completed and signed by both the Attorney and the LegalWise Member.

Member's Name: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Who in the family needs assistance? (See note 3)  
\_\_\_\_\_  
\_\_\_\_\_

If the Member is not in possession of a policy number, kindly telephone our closest branch before proceeding with the completion of this Claim Notification.

## TO MEMBER

Kindly complete and sign this portion:

1. I, \_\_\_\_\_  
understand that the attorney named overleaf

**WILL/WILL NOT** Please circle your answer  
represent me in accordance with prevailing LegalWise tariffs.

2. I further accept that if my attorney is not prepared to work in accordance with the tariffs, that I will be personally liable for the difference, including such extra costs as may be occasioned through any assistance my attorney has agreed to give me to enable me to comply with the policy conditions.

3. I understand that the Company shall not be liable, unless a written Confirmation of Cover is issued to me or my appointed attorney, by the Company.

Member's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Tel No: \_\_\_\_\_

Authorised Financial Services Provider



Legal Power and Protection

Legal Expenses Insurance Southern Africa Limited (LEZA)  
Registration Number: 1984/010574/06  
764 Golf Club Terrace, Constantia Ridge Office Park, Block B,  
Constantia Kloof 1709.  
P. O. Box 6144, Weltevredenpark, 1715.  
Directors: IJ Crafford (Chairman), VA Fornali (Managing Director),  
CJ Luwes (Chief Operating Officer, Company Secretary), P de Smidt,  
SM Mkhabela, M Shezi, S Theofanidis (Alternate).

# CLAIM NOTIFICATION

## TO MEMBER'S ATTORNEY

Please circle your answer

It is in the interests of your client (our member), to know his/her position, before making any commitments. Kindly therefore indicate your agreement OR disagreement by answering the following questions:

1. Are you prepared to represent our Member in terms of the LegalWise policy conditions and tariffs?

**YES/NO**

If **YES**, go to 3. If **NO**:

2. Are you prepared to assist our Member in so far as your assistance is required to enable our member to comply with the relevant provisions of the policy in order to assess a claim, and, if cover is confirmed, to assist our Member to obtain payment from us of that portion of your fees for which the Company may be liable to your client in terms of any written Confirmation of cover?

**YES/NO**

If **YES**, we look forward to receipt of this Claim Notification, duly completed and signed. We have given our Member the freedom to choose you as his/her attorney and we thank you in anticipation for your co-operation.

If **NO**, please advise our Member.

3. Are you of the opinion that the proposed course of action is justified and that the Member has a reasonable prospect of obtaining the relief sought?

**YES/NO**

4. Should insurance cover be confirmed, do you agree to notify opposing parties that your client, as a LegalWise Member, is insured against legal expenses?

**YES/NO**

## DETAILS OF MATTER

Please Submit:

1. A brief statement of the material dates and facts or events upon which the cause of action or charge or matter of dispute are based.

2. A brief summary of the proposed course of action or relief sought.

3. A copy of a statement taken from the Member relating to the matter, together with this Claim Notification.

Date of Insured Event: \_\_\_\_\_

Attorney's Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Tel No: \_\_\_\_\_



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## DOCUMENTATION ENCLOSED HERewith, OR TO BE FORWARDED UPON RECEIPT:

These are the most commonly required documents. We will advise you should any additional documents be required.

Please tick box where applicable

ENCLOSED TO BE FORWARDED

### GENERAL (See Note 3)

1. Copy of the first page of the Member's Identity Document.

2. If legal presentation is sought for any person other than the Member, kindly see 2.1 and 2.2 below.

2.1 If the matter concerns the Member's Spouse or Partner, a copy of the first page of the Spouse or Partner's Identity Document and documentary proof of the marriage or relationship.

2.2 If the matter concerns the Member's child/ren below 18:

2.2.1 a copy of the child/ren's Birth Certificate/s and/or the first page of the Identity Document/s.

2.3 Children between 18 and 21:

2.3.1 Birth Certificate/s or 1st page of the Identity Document/s.

2.3.2 Documentary proof of full-time attendance at a recognised school or institution for advance education.

2.3.3 Proof of financial dependence.

### CRIMINAL MATTERS (See NOTE 4)

3. A copy of the charge sheet and annexures thereto.

4. An affidavit deposed to by the Member/Accused confirming that he/she has not been convicted of a similar offence in the past three or six years and that he/she has not claimed for a serious offence previously.

5. SAP69, upon conclusion of the trial.

### CIVIL MATTERS

6. Documentary proof of when the dispute arose, the subject matter of the dispute and the quantum involved, e.g.:

6.1 Copy of the demand or summons.

6.2 Copy of the Road Accident Report.

6.3 An affidavit deposed to by the Member confirming relevant dates, which do not appear on documents submitted.

6.4 Copy of registration certificate proving ownership of vehicle.

6.5 Copy of repair quotations.

6.6 Copy of agreement or other document/correspondence giving rise to, or concerning the dispute.

7. Please give an estimate of the quantum of any claim by the Member.

8. Copy of statement taken from the Member.

### LABOUR MATTERS

9. Copy of statement taken from the Member.

10. Documentary proof of when the dispute arose (i.e. letter of dismissal, letter of retrenchment, letter of appointment, etc.)

11. Details of matter which constitutes an unfair labour practice not referred to above.



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