



Reference: Schemes' details/information
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Circular 27 of 2014: Call to Medical Schemes to provide information and/or contact details

The Council for Medical Schemes (CMS) hereby gives notice to medical schemes and any person who it requires to provide information and/or contact details in terms of the Medical Schemes Act 131 of 1998.

Notwithstanding any other prevailing legislation and as a follow-up to our Circular 37 of 2010, medical schemes and any person who is required in terms of the Medical Schemes Act (131 of 1998) ("MS Act"), to furnish to the Registrar any document would be deemed to not have complied with the provisions of Section 39 read with Regulation 2(1) if the required information and correct contact details are not submitted to CMS where necessary. Section 39(1) read with Regulation 2(1)(m) provides for the Registrar to call for any other information deemed necessary for the registration or continued monitoring of a medical scheme.

1. The information to be provided in terms of Section 39(1) read together with Regulation 2(1)(c)(e) and (g) as well as with Regulation 19(3) of the MS Act include:
 - 1.1. The scheme's physical and postal addresses. The physical address must always be in the Republic of South Africa.
 - 1.2. The names and contact details of the Principal Officer and all members of the Board of Trustees. Their contact details must include accessible telephone numbers, facsimiles; email, physical and postal addresses.
 - 1.3. Notice of all newly appointed/elected Trustee(s) and Principal Officer(s), which must always include the contact details mentioned above including their ID numbers with the following supporting documents:
 - 1.3.1. Formal letter of appointment/election (indicating the date of appointment) in a scheme's letterhead;

- 1.3.2. A comprehensive CV of the appointee/elected trustee; and
 - 1.3.3. A certified copy of full set of signed minutes (in English) of the Board Meeting where the appointment took place.
 - 1.4. Notice of any resignations and/or terminations of any member(s) of the executive and/or the Board. Please note that to avoid any cluttering of the returns, only the following comments will be added in part 1.3 of the returns:
 - 1.4.1. Principal Officer: Only the resignation date will be reflected or status when acting in this position;
 - 1.4.2. Trustees: Only the resignation date or an indication as to whether the person is appointed as an alternate trustee.
 - 1.5. Notice of any resignations and/or appointments of new Fund Manager(s) of the Schemes, including their contact details (telephone number, fax number, cell number, email and postal address) and must always be sent on the letterhead of the Scheme.
 - 1.6. To avoid duplication and/or discrepancies only one person, nominated by the Board, will be allowed to submit changes on behalf of a scheme.
 - 1.7. The submissions for changes to the annual/quarterly returns must reflect the detail/information in effect as at the date of the return (i.e. 31 March, 30 June, 30 September and 31 December for the quarterly returns and 31 December for the annual returns). Those submitted just prior to the deadline for submission of returns and not when they actually occurred, will be processed on a first come first serve basis.
 - 1.8. Advance notice of the cancellation of the administration contract.
 - 1.9. A report documenting compliance with Board Notice 73 of 2004 published in terms of section 61 of the MS Act. Such report must include a new signed administration agreement and demonstration of the Medical Scheme's engagement in a fair and reasonable process in appointing a new administrator.
 - 1.10. In the circumstances contemplated in Regulation 19(3), a report by the trustees of the medical scheme concerned on steps taken to ensure the integrity of all documents, data and information transferred to the new administrator.
2. The information to be provided by an administrator in terms of Section 39(4) read with Regulation 19(1) & (2) of the MS Act include:
 - 2.1. A report confirming that all documents of title relating to assets, the assets register, minute books, members' records and other records and information pertaining to the medical scheme have been delivered to the trustees of the medical scheme or the new administrators, as the case may be;
 - 2.2. the date and address of such delivery;
 - 2.3. the name of the trustee or person at the new administrator's business to whom the documents referred to in paragraph (a) have been delivered; and
 - 2.4. Certification by the administrator that such records and information delivered to the trustees are credible, correct and in a readable format as specified by the trustees of the medical scheme.

If an administrator is for any reason unable to comply fully or partially with Regulation 19(1), the report referred to in paragraph 2.1 above must contain full particulars regarding documentation which has not been delivered, the reasons therefore as well as a plan with the dates on which compliance will take place, to enable the Registrar to approve of such further period as may be determined by him or her.

Medical schemes should bear in mind that notification of changes are required when they take place, and that the updates will be processed on a first come, first serve basis. Kindly note that the submission of the document(s)/information is mandatory; failure to do so will result in the scheme being non-compliant in terms of Section 66.

NB: Kindly note that requests which are not urgent will not be entertained during the period of statutory return analysis.

The information referred above must be submitted to the following email address:

cmsschemeupdates@medicalschemes.com

Your cooperation is appreciated.

Yours sincerely



P. PREMA
HEAD: BENEFITS MANAGEMENT
COUNCIL FOR MEDICAL SCHEMES