



CIRCULAR

Reference: Election of Trustees  
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## Circular 36 of 2015: Extension of deadline for representations – Draft Undesirable Business Practice Declaration in terms of Section 61(2) of the Medical Schemes Act

Electoral Practices and Processes involved in Election of Members of Board of Trustees for Medical Schemes

1. On 17 April 2015, the Acting Registrar of Medical Schemes (“the Registrar”) published in Government Gazette No 38693, a draft undesirable business practice declaration notice 333 of 2015. The notice was made in terms of section 61 of the Medical Schemes Act. The Registrar also issued [Circular 29 of 2015](#) on the same day informing all interested parties of the draft notice and of the invitation for representations.
2. The representations – in accordance with section 61(2) of the Medical Schemes Act – were required to reach the Registrar of Medical Schemes within 21 days after publication of the draft notice. Several representations have been received from various medical schemes within the prescribed 21 days. Some medical schemes have made substantive representations – with proposed rewording in certain instances – in support of the draft declaration.
3. On the other hand, some medical schemes have made requests for further time to make representations. The further periods requested range from a further 21 days to a further 51 days. The Registrar has considered the reasons given for requesting further time as well as the time periods requested.

4. The Registrar holds the view that 21 days is, in accordance with the provisions of section 61(2) of the Medical Schemes Act, adequate time within which to make representations. However, in response to the requests for further time the Registrar hereby gives a further period of 21 days within which to submit representations invited per the notice published on 17 April 2015. Therefore, all interested persons can still make representations until 29 May 2015.
5. All interested persons are referred to Circular 29 of 2015 for details. This Circular was prepared in order to enable interested persons to provide written representations that are envisaged in section 61(2) of the Medical Schemes Act.

Written representations should be directed to one of the following addresses by 29 May 2015:

Mail: Compliance and Investigations Unit, Council for Medical Schemes, P/Bag x34, Hatfield, 0028.

Email: [declarationcomments@medicalschemes.com](mailto:declarationcomments@medicalschemes.com)

Fax: 012 431 0656

Post: Council for Medical Schemes, P/Bag x34, Hatfield, 0028

Block A, Eco Glades 2 Office Park

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6. The Registrar of Medical Schemes believes that the draft declaration of undesirable business practice is important for fair voting and election of members of medical schemes. This circular does not relate to campaigns and election processes of medical schemes that are required of medical schemes, but relates to activities and conduct of members of a medical scheme who also have a work or business relationship or interest in a medical scheme.
7. Please note that, in terms of section 61(4) of the Medical Schemes Act, no one may conduct affairs of a medical scheme in a manner described in the draft declaration.



STEPHEN MMATLI  
GM: COMPLIANCE & INVESTIGATIONS  
COUNCIL FOR MEDICAL SCHEMES