

**BP SOUTHERN AFRICA MEDICAL AID SOCIETY
(‘the Society’)**

**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2/2000 (‘the Act’) FOR ASSISTANCE IN REQUESTING INFORMATION FROM THE SOCIETY**

The BP Southern Africa Medical Aid Society is a medical scheme registered in terms of section 24(1) of the Medical Schemes Act, 1998. The Society is a private body, as defined in the Act.

A. CONTACT DETAILS

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|----|--|---|
| 1. | Head of the Society | Janine Daniels – Acting Principal Officer |
| 2. | Reference number | 1237 |
| 3. | Registered address of the Society | BP Waterfront Dock Road Portwood Ridge V&A Waterfront Cape Town 8002 |
| 4. | The postal address of the Society | PO Box 6006 Roggebaai 8012 |
| 5. | The contact telephone number of the Society is: | +27 87 357 9593 |
| 6. | The contact facsimile number of the Society is: | +27 21 408 2494 |
| 7. | The email address of the Head of the Society is: | janine.daniels@bp.com |

B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE

In terms of Section 10 of the Act, the Human Rights Commission is required to compile, in each official language, a guide to the Act to assist people to exercise their rights under the Act. This guide will be available by no later than August 2003. Please direct any queries to:

The South African Human Rights Commission

PAIA Unit
The Research and Development Department

Postal address:

Private Bag 2700
Houghton
2041

Physical address:

Entrance 1
Wild View
Isle of Houghton
No 9 Boundary Road
Parktown

Telephone: +27 11 484 8300
Facsimile: +27 11 484 0582
Email: paia@sahrc.org.za
Website: <http://www.sahrc.org.za>

When available, this guide can be obtained from:

- Human Rights Commission
- In the Government Gazette
- On the website of the Human Rights Commission, which is www.sahrc.org.za.

C. RECORDS AVAILABLE IN TERMS OF THE MEDICAL SCHEMES ACT 1998

Section 41 of the Medical Schemes Act requires that the following records be made available:

1. The Society shall deliver to a beneficiary on demand by such beneficiary, and on payment of such fee as may be determined by the rules of the Society, a copy of any of the following documents:
 - 1.1 The rules of the Society
 - 1.2 The latest annual financial statements prepared under section 37(1) of the Act
 - 1.3 Any other documentation referred to in section 37(2) and (4)(d) of the Act.

Section 37(2)

The annual financial statements shall *inter alia* consist of:

- a. a balance sheet dealing with the state of affairs of the Society;
- b. an income statement;
- c. a cash-flow statement;
- d. a report by the auditor of the Society; and
- e. such other returns as the Registrar may require.

Section 37(4)(d)

The annual financial statements shall:

- d. be accompanied by the management accounts in respect of every benefit option offered by the Society indicating the financial performance thereof and the number of members enrolled per option.
2. A beneficiary shall be entitled to inspect, without charge, at the registered office of the Society of which he or she is a member, the document referred to in subsection (1) and make extracts therefrom.
 3. Any person may, upon payment of the prescribed fee, inspect at the office of the Registrar any document referred to in subsection (1) and make an extract thereof or obtain from the Registrar a copy thereof or extract there from.
 4. The Registrar may exempt any person from the obligation to pay fees under this section if the Registrar is satisfied that the inspection, copy or extract in question is desired for the purpose of furthering the public interest.

D. DESCRIPTION OF RECORDS HELD BY FUND

GENERAL RECORDS

- Rules and rule amendments
- Certificate of registration
- Minute books
- Agenda packs for meetings of the Trustees
- Member handbooks and brochures
- Newsletters and communication to members
- Participating Employer details
- Practice notes
- Investment mandates
- Monthly reports from service providers
- Notice to members of Annual General Meetings
- Documentation tabled at Annual General Meetings
- Minutes of Annual General Meetings
- Attendance registers of all meetings

MEMBER RECORDS

- Membership details
- Membership application forms
- Medical claims records, including notification forms, statements of value, payment instructions, copies of cheque/EFT payment references
- Claims advices
- Medical records
- Applications for hospital pre-authorisation and records of decisions
- Applications for medicine management programme and records of decisions
- Ex gratia requests and payments

CONTRACTS

- Policies of insurance, applications for insurance, documents relating to payment of premiums, claim documents, renewal documents, quotations for insurance, amendments to policies in respect of investments, fidelity cover and reinsurance
- Agreement between Employer and the Society
- Agreement with Administrator
- Agreement with consultant and actuary
- Agreement with managed care company
- Agreements with other service providers, such as Netcare 911, Clicks, Medipost and Iso Leso

FINANCIAL RECORDS

- Cashbooks and reconciliations to bank accounts
- Bank statements of Society's bank account
- General ledgers
- Trial balances
- Balance sheets
- Income statement
- Cashflow statement
- Reports by the auditor of the Society
- Quarterly returns
- Contributions received from Employer
- Monthly management accounts
- Fees payable to providers and expenses of the Society
- Remuneration to Trustees
- Monthly investment reports

TRUSTEE RECORDS

- Trustees' personal details
- Trustee election documentation, such as nomination forms and ballot papers

E. REQUEST PROCEDURES: INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A.1. above and at the contact details specified in A. above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act.
- Please note that the Society is a separate legal entity from the employers that participate in the Society as well as from the Society's administrators, auditors, consultants, actuaries and other advisors/service providers.
- The request must provide sufficient detail on the request form to enable the head of the Society to identify the record and the requester. The requester should indicate what form of access is required. The requester should also indicate if any other manner, than a written reply, is used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Society.

- The head of the Society must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request. The requester may lodge an internal appeal or an application to court against the tender or payment of the request fee.
- The head of the Society will then make a decision whether to grant the request or not and notify the requester in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- The forms and fee structure are available on the following website:

Southern African Human Rights Commission www.sahrc.org.za

Or

Department of Justice and Constitutional Development www.doj.gov.za (under 'regulations').

F. AVAILABILITY OF THE MANUAL

The Society's manual is available for inspection free of charge at the registered address of the Fund (see A.3 above). Furthermore, a copy is available from the Human Rights Commission (see contact details in B. above).

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