



Section 59 Investigation

Established in terms of Section 7(a)(b)(c)(d), 8(a) and (k) and 9(2) of the Medical Schemes Act, 131 of 1998.

18 December 2020

Statement: **Release of the Section 59 Interim Investigation Report**

The Section 59 Investigation Panel has submitted its Interim Report into allegations of unfair racial discrimination and procedural unfairness to the Council for Medical Schemes. It was intended that the Panel would release the report on 16 December 2020. During the morning of 16 December 2020, the Panel was informed that concerns were raised by the Minister of Health, Dr Zweli Mkhize about the publication of the report without him having been appraised of its contents. These concerns were apparently also shared by the Council of CMS.

The Panel undertook to meet with both the Minister and the Council to brief them about the report. The release of the report was delayed by 2 days, to take place on 18 December 2020, at 10h00. Neither the Minister nor the Council has been available to meet the Panel, despite requests for meetings. The Panel has not been informed when these meetings may likely be held.

During the afternoon of 17 December 2020, a letter was received from the Chairperson of the Council addressed to the Panel in which a request was made for a further postponement of the release of the report on the grounds that the Council “as a governing body of a Section 3A entity, needs to adhere to certain protocols to comply with requirements of the Executive Authority – The National Department of Health.”

The Panel therefore postpones the release of the interim report until further notice.

The Panel is independent of the CMS, and all queries related to the release of the report should be directed to the Secretariat/briefing attorneys of the Panel, Lawtons Africa as follows:

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/Ends/

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