



CIRCULAR

Reference: Section 8(h) Exemption Process
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Date: 2021/05/10

Circular 33 of 2021: Section 8(h) Exemption Application Process

The Council for Medical Schemes (CMS) is enjoined to monitor medical schemes' compliance with the Medical Schemes Act (131 of 1998) (MSA), and their scheme rules. Section 8 of the MSA sets out the powers of CMS' Council, and more specifically section 8(h) provides that:

"[t]he Council shall, in the exercise of its powers, be entitled to - exempt, in exceptional cases and subject to such terms and conditions and for such period as the Council may determine, a medical scheme or other person upon written application from complying with any provision of this Act."

The Office of the Registrar (the Office) receives exemption applications from time to time, via email and processes same for resolution at Council. As such, the Office has noted that the use of email to submit exemption applications is not effective and at times leads to unnecessary delays.

The Office has therefore developed a new process for submitting exemption applications, that will provide a safe and secure place to submit and process exemption applications.

New Exemption Application Process

1. Registration:

- All medical schemes are required to register a person as a Data Officer. The Data Officer will be the only person permitted to submit exemptions to the CMS exemptions portal.
- The designated person is required to register by completing this form: [Data Officer Registration Form](#). The appointed person will be vetted internally before access is granted, and then provided with a username and password.

2. Submitting an Exemption Application:

- All accredited Data Officers, are henceforth required to submit exemption applications to the following SFTP site: <https://ftp.medicalschemes.com/login>, using the login credentials they received when they registered.

- Data Officers will not have the right to delete documents submitted through the portal.

3. Exemption Process

- The office will endeavour to process exemption applications within 90 days from date of receipt.

4. Technical Support

- For assistance with technical issues kindly contact Mr Thamsanqa Diniso (t.diniso@medicalschemes.co.za).

The abovementioned exemption application process is effective on the date of release.



Dr Siphon Kabane
Chief Executive & Registrar
Council for Medical Schemes