

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

CASE NO. 35478/2020

**BEFORE THE HONOURABLE MADAM JUSTICE COLLIS ON THE 05TH DAY OF
APRIL 2022**

PROCEEDINGS CONDUCTED VIRTUALLY VIA MICROSOFT TEAMS

In the *ex-parte* application of:

THE REGISTRAR OF MEDICAL SCHEMES

First Applicant

JOHANNES MALOSE SEOLOANE N.O

Second Applicant

In re:

KEYHEALTH MEDICAL SCHEME

Under Curatorship

DRAFT ORDER

HAVING heard Counsel for the parties and having read the papers filed, it is ordered that:-

1. The Applicants' non-compliance with the forms, service and time limits provided for in the Rules, in terms of the provisions of Rule 6(12)(a), is hereby condoned and this matter is heard as one of urgency.

2. That, in terms of section 5(9) of the Financial Institutions Protection of Funds Act 28 of 2001 (“FIA”), the curatorship of the Keyhealth Medical Scheme is brought to an end with effect from Tuesday, 05 April 2022.
3. That, in terms of section 5(9) of FIA, the Second Applicant’s (Johannes Malose Seloane) appointment as the curator of the Keyhealth Medical Scheme is cancelled with effect from Tuesday, 05 April 2022.
4. That the following trustees:-
 - 4.1 Arno Gouws;
 - 4.2 Cornelius Johannes Coetzee;
 - 4.3 Andre Donovan Young
 - 4.4 Guy Boardman;
 - 4.5 Marinda Aletta Luff;
 - 4.6 Jacobus Herkules Phillipus Breedt; and
 - 4.7 Derek Naidoo,are, with effect from 05 April 2022, appointed as trustees of the Keyhealth Medical Scheme and are authorized to take control of the management and affairs of the Keyhealth Medical Scheme with effect from Tuesday, 05 April 2022.
5. That a copy of this order be served on the trustees mentioned in paragraph 4 above and be published on the Keyhealth Medical Scheme’s website within 48 (forty-eight) hours of the order being granted by this Court.

6. That a *rule nisi* be granted calling upon any interested party to show cause, upon at least 48 (forty-eight) hours' notice to the Applicants, by no later than Tuesday, 19 April 2022, why the orders set out in paragraphs 2 – 4 above should not be made final.

7. That, should no party come forward as contemplated in paragraph 6 above, then the orders set out in paragraphs 2 – 4 above shall be final.

BY THE COURT

REGISTRAR