



May 2026

RULINGS ISSUED BY THE OFFICE OF THE REGISTRAR

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S v Bestmed Medical Scheme-Termination of membership due to non-disclosure of material information

This matter was referred to the Office of the Registrar by Ms. S (“the Complainant”) against Bestmed Medical Scheme (“the Respondent”). The dispute arises from the Respondent’s decision terminate the Complainant’s membership following an investigation into possible non-disclosure of material information. The Complainant submitted that she applied for medical scheme membership, which commenced on 1 March 2025.

The Complainant stated that about 5 months prior to her membership application with the Respondent, she experienced pain in her right leg following a long road trip. This led her to consult

her general practitioner (GP), who performed x-rays, the results of which were clear, and no abnormalities were detected.

The Complainant admitted that she was advised to take anti-inflammatory medication and attend a few sessions of physiotherapy, which she did. The pain subsided shortly thereafter, and no diagnosis was made by the GP. The Complainant averred that she was not informed that there was a chronic condition or any condition of a serious or ongoing nature. There was also no further treatment or follow-up required.

According to the Complainant she received a letter from the Respondent dated 3 June 2025, advising her that her membership had been cancelled on the grounds of non-disclosure of the material information. The Respondent stated that the Complainant failed to disclose her symptoms (pain in her leg 5 months prior to her join date) for which she obtained medical advice, x-rays and physiotherapy..

The Respondent concluded that the Complainant's medical history was not fully disclosed during application for membership. Had all the relevant information relating to the Complainant's medical history been disclosed, the Respondent would have applied underwriting.

The Respondent consequently terminated the Complainant's membership due to the non-disclosure of material information within the provisions of Section 29 (2)(2) of the Act.

During the investigation of this complaint the CMS considered the submissions from both parties, the registered Scheme rules and the provisions of the Act.

The Registrar finds that the Respondent's decision to terminate the Complainant's membership, due to non-disclosure of material information was justified and in line with the provisions of the Act.

The Complaint against the Respondent was dismissed.