



# Section 59

*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.*

## NOTICE

Reference: Section 59 Investigation & Report

Contact person: Mr SJ Thema

Contact number: 011 775 6386

E-mail: [sj.thema@lawtonsafrica.com](mailto:sj.thema@lawtonsafrica.com)

Date: 29 May 2023

### **Updated Notice: Section 59 Investigation – Response to Inquiries from Various Stakeholders**

Please take notice that the Section 59 Investigation Panel has, pursuant to publishing the Notices dated 9 and 11 May, respectively, received inquiries from various stakeholders regarding, amongst other things, the legal submissions to be made in the forthcoming hearings.

Please take notice that,

1. The Panel will consider all comments and submissions (both factual and legal) that have already been made by stakeholders in early 2021 on the Interim Report.
2. The virtual hearings set to take place between 26 – 28 June 2023 (3 days) is to provide stakeholders with the opportunity to make oral legal submissions by presenting legal argument/s regarding the approach which the Panel took in respect of the legal issues in the Interim Report.
3. The hearings are an opportunity for stakeholders to raise and highlight their respective legal arguments with the Panel and will further allow the Panel to address questions to stakeholders in respect of the arguments made.
4. The Panel notes that some stakeholders have requested permission to make further factual submissions, in particular, relating to the period following the publication of the Interim report. On this score, the Panel is not re-opening its investigation and no further factual submissions will be accepted or considered during the June virtual hearing. The Interim Report made provisional findings in relation to the conduct of the stakeholders for the period between January 2012 to June 2019, which is based on the evidence collected and led through public hearings for that time period only.

Please be reminded that should stakeholders wish to make legal submissions, they must express their intention of doing so by writing to the Secretariat, by no later than 31 May 2023.

Panel: Adv Tembeka Ngcukaitobi SC | Adv Adila Hassim SC | Adv Kerry Williams

Secretariat: Lawtons Africa Inc

Customer Care: 0861 123 267

Block A, Eco Glades 2 Office Park, 420 Witch-Hazel Avenue, Eco Park, Centurion, 0157

[cmsinvestigation@medicalschemes.com](mailto:cmsinvestigation@medicalschemes.com)

[www.cmsinvestigation.org.za](http://www.cmsinvestigation.org.za)



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The Panel is completely independent of the Council For Medical Schemes, and all queries related to the Section 59 Investigation should be directed to the Secretariat/briefing attorneys of the Panel, Lawtons Africa as follows:

**Contact Person/s:** Mr SJ Thema / Mr Siphon Mtsweni

**Email:** [sj.thema@lawtonsafrica.com](mailto:sj.thema@lawtonsafrica.com) / [siphon.mtsweni@lawtonsafrica.com](mailto:siphon.mtsweni@lawtonsafrica.com)

**Telephone:** 011 775 6386 / 011 523 6192

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