

# The Anglo Medical Scheme Privacy Statement administered by Discovery Health (Pty) Ltd

This document reflects the Privacy Statement for AMS administered by Discovery Health (Pty) Ltd.

## Our Privacy Statement – How we will process and disclose your personal information and communicate with you

### Definitions

**The Scheme** refers to Anglo Medical Scheme, registration number 1012, registered with the Council for Medical Schemes.

**Administrator** refers to the primary administrator Discovery Health (Pty) Ltd, registration number 1997/013480/07, an authorised financial services provider, the administrator and managed care organisation for the Scheme and a subsidiary of the Discovery Limited (registration number 1999/007789/06 and Kaelo Risk (Pty) Ltd (administrator of the Value Care Plan), an authorised Services Provider (FSP 36931).

**Service Provider means** MediKredit (Proprietary) Limited (Registration No. 1995/001794/07), Netcare 911 (Pty) Ltd. Pr. No. 0901032, Company Registration No. 1998/006748/07), Centre for Diabetes and Endocrinology (Proprietary) Limited (Registration No. 1994/001693/07) and the Dental Risk Company Proprietary Limited, (Registration No. 2001/002074/07), and any service provider contracted by the administrator to provide services to members.

**Competent person** means anyone who is legally competent to consent to any action or decision being taken on any matter concerning a member or dependant for example a parent or legal guardian or a legal representative appointed by a court to manage the finances, property, or estate of a member or dependant unable to do so because of mental or physical incapacity.

**Employer** means a **Participating Employer** as defined in the Scheme Rules.

**Process(ing) (of) information** means the lawful and reasonable, automated or manual activity of collecting, verifying, recording, analysing, organising, using, storing, updating, distributing, removing or deleting personal information to ensure that such processing is adequate, relevant and not excessive given the purpose for which it is processed.

**We, us, our** refers collectively to the Scheme and the Administrator.

**You and your** refers to you the member and your registered dependants on your plan which may include your spouse, children and other dependants, collectively “your dependants”.

**Your personal information** refers to all personal information the Administrator has processed relating to you or persons who are related to you or under your authority (as may become relevant depending on the context). Your personal information includes:

- financial information;
- information about your health, race or ethnic origin, biometrics, or criminal behaviour;
- your gender;
- your age and date of birth;
- unique identifiers such as your identity number or contact numbers;
- personal information submitted on behalf of consented third parties; and
- addresses.

1. When you engage with the Scheme and Administrator, you trust us with personal information about yourself or your family.
2. We are committed to protecting your right to privacy. We will keep your personal information confidential. We take protecting your personal information seriously and are continuously developing and updating our security systems, processes and data governance policies.
3. The purpose of this Privacy Statement is to set out how we collect, use, share and otherwise process your personal information in a manner that is compliant, ethical, adheres to industry best practice and applicable protection of personal information legislation as enacted from time to time.
4. This Privacy Statement applies to you if you engage with us through our offices, or virtually through our website (<http://www.angloms.co.za/portal/ams/privacy>), email, mobile applications such as the Anglo Medical Scheme App, over the phone, or through your employer or otherwise as may be the case from time to time.
5. We have a duty to take all reasonably practicable steps to ensure your personal information is complete, accurate, not misleading and updated on a regular basis. To enable this, we will always endeavour to obtain personal information from you

directly. Where we are unable to do so, we will make use of verifiable independent third-party data sources.

6. You have the right to object to the processing of your personal information and have a choice whether or not to accept these terms and conditions. However, it is important to note that the Scheme and Administrator requires your acceptance of these terms and conditions, otherwise we cannot activate and manage your medical scheme membership.  
The Scheme and Administrator will keep your personal information confidential. You may have given us this information yourself or we may have collected it from other sources. You understand and/or acknowledge that when you include your spouse and/or dependants on your application, we will process their personal information for the activation of the membership/benefit and to pursue their legitimate interest. By submitting your dependants' relevant personal information, you hereby confirm that you are duly authorised to share such information with us. We will furthermore process their information for the purposes set out in this Privacy Statement.
7. Where we collect your information from your employer, each party accepts responsibility to the extent that the activities of processing personal information fall under the control of that party and agrees to indemnify the other party/ies against any loss or damage, direct or indirect, that an employee may suffer because of any unauthorised use of the employees' personal information or if a breach of the employees' personal information occurs, but only if the processing of that personal information is controlled by that party.
8. If you are giving consent for a dependant under 18 years of age (a minor), you confirm that you are a competent person and that you have authority to provide consent on their behalf.
9. If you are giving consent or obtaining authorisation for a dependant over the age of 18, you confirm that you are a competent person and that you have authority to provide consent or obtain authorisation on their behalf.
10. If you share your personal information with any third parties, we will not be responsible for how they use this information nor be responsible for any loss suffered by you.
11. You agree that the Scheme and Administrator may process your personal information for the following purposes:
  - 11.1. for the administration of your plan;
  - 11.2. to verify the accuracy, correctness and completeness of any information provided to us in the course of processing an application for membership or providing services related to the membership;
  - 11.3. for the provision of managed care services to you and your dependants on your plan;
  - 11.4. for the provision of relevant information to a contracted third party who requires this information in order to provide a healthcare service to you or your dependants on your plan;
  - 11.5. to profile and analyse risk and trends;
  - 11.6. to investigate and/or remedy fraud, waste and abuse; and
  - 11.7. to share your or your dependants personal information with external healthcare providers for them to assess or evaluate certain clinical information, in the event that you require medical treatment.
12. Examples of when and how we will obtain and share your personal information include:
  - 12.1. obtaining and sharing you or your dependants personal information with other relevant sources, including medical practitioners, contracted service providers, health information exchanges, financial advisers, credit bureaus, entities that are part of Discovery Ltd (if you have previously given your consent to this entity) or industry regulatory bodies ("relevant sources") and further processing of such information to consider your membership application, to conduct underwriting or risk assessments, or to assess and value a claim for medical expenses. We may (at any time and on an ongoing basis), verify with the relevant sources that your personal information is true, correct and complete, including personal information about any judgment or default history;
  - 12.2. if you have joined as a member of an employer group, getting information from, and sharing information with your employer that is relevant to your application for membership and the management of your membership with due regard for considerations of confidentiality in respect of your state of health;
  - 12.3. communicating with you about any changes to your plan, including your contributions or changes and enhancements to the benefits you are entitled to on the plan you have chosen;
  - 12.4. transferring you or your dependants personal information outside the borders of the Republic of South Africa where appropriate, or if you provide an email address which is hosted outside the borders of South Africa, or for processing, storage or academic research; and
  - 12.5. sharing your or your dependants personal information to be processed by healthcare providers via a health information exchange in order to improve members' treatment and healthcare outcomes.
13. If a third party asks the Scheme and Administrator for any of your personal information, we will share it with them only if:
  - 13.1. you have already given your consent for the disclosure of this information to that third party;

- 13.2. we have a legal or contractual duty to give the information to that third party; or
- 13.3. we need to share it with them for risk, analytical or fraud detection, prevention or recovery purposes.
14. You consent and agree that:
  - 14.1. we may process your information, including personal and special personal information, to adhere to South African legislative obligations and to perform transaction monitoring activities; and
  - 14.2. we may communicate such personal information to local Regulatory Bodies as well as to other relevant governance structure of the Administrator or any of its relevant entities if any Legislative reportable matters are identified.
15. We will provide your personal information to any Discovery Limited entity for the following purposes only:
  - 15.1. to allow for the administration of your profile/membership/plan with the entity with whom you or your dependant/s already have a relationship; or
  - 15.2. where you or your dependant/s have applied for a product, service or benefit from such an entity for the purposes of underwriting.
16. We may process your personal and/or depersonalised information for the following purposes:
  - 16.1. for research and analysis; or
  - 16.2. to support the early identification of medical conditions and/or other lifestyle risks and to encourage you to change your lifestyle to lessen the impact of such conditions; or
  - 16.3. to provide personalised advice to you about risks to your health, how you may become healthier (such as by seeing a healthcare practitioner, having additional tests done or activating benefits) and the rewards and incentives which you may receive as a result of undertaking these activities. We will provide this advice to you based on market and behavioural research and analysis carried out using your personal, special and or depersonalised information. We may communicate this advice to you using the Anglo Medical Scheme App or other communication channels.
17. Your personal information may be shared with third parties such as academics and researchers, including those outside South Africa. We ensure that all data about you that is shared with such third parties will be made anonymous to the extent possible and where appropriate. Note also that personal information will be made available to a third party only if such third party has agreed to abide by strict confidentiality protocols that we require. If we publish the results of any academic research, you will not be identified by name. If we want to share your personal information for any other reason, we will do so only with your permission. If we and/or the academic and researcher publish the results of this research, you will not be identifiable.
18. The Scheme and Administrator have the right to communicate with you electronically about any changes to your plan, including changes to your contributions or changes and enhancements to the benefits you are entitled to on the plan you have chosen.
19. We may process your information using automated means (without human intervention in the decision-making process) to make a decision about you or your dependants for your application for any product or service. You may query the decision made by calling the Call Centre on **0860 222 633**.
20. The Scheme and Administrator have a duty to keep you updated about any matters relating to your products and Scheme that are made available from time to time. The Scheme and Administrator may communicate with you about these.
21. Unless required by law to keep your personal information for a certain period of time or purpose, you agree that the Scheme and Administrator may keep your personal information until you ask us to delete or destroy it. Complete the 'Request for Deletion or Correction of Information Form' available on the Scheme's website at <http://www.angloms.co.za/portal/ams/privacy>. Where we cannot delete your personal information, we will take all practical steps to de-identify it, and for purposes of proof, retain a secure copy of your request.
22. Where the Scheme and Administrator are required by law to collect and keep personal information, we shall do so. We are required to collect and keep personal information in terms of the following laws:
  - 22.1. Medical Schemes Act, 1998;
  - 22.2. The Consumer Protection Act, 2008;
  - 22.3. The Protection of Personal Information Act, 2013;
  - 22.4. Electronic Communications and Transactions Act, 2002;
  - 22.5. Promotion of Access to Information Act, 2002;
  - 22.6. Tax Administration Act 28, 2011: and
  - 22.7. Legislation specific to Discovery Health (Pty) Ltd only:
    - 22.7.1. Financial Advisory and Intermediary Services Act, 2002;
    - 22.7.2. Companies Act, 2008.
23. You agree that the Scheme and Administrator may transfer your personal information outside South Africa:
  - 23.1. to administer international claims; or

- 23.2. if you give us an email address that is hosted outside South Africa; or
  - 23.3. for processing, storage or academic research; or
  - 23.4. to administer certain services, for example, cloud services.
24. When we share your information, we will ensure that, the company, person or regulatory body (in or outside of South Africa) to whom we pass your personal information, agrees to treat your information with the same level of protection as we are obliged to.
25. If the Scheme or Administrator becomes involved in a proposed or actual amalgamation, transfer or merger, acquisition or any form of sale of any assets, as appropriate, we have the right to share your personal information with third parties, solely for the purposes of this transaction. In the case of such an event, the new entity will have access to your personal information. The terms of this Privacy Statement will continue to apply.
26. You have the right to know what personal information the Scheme holds about you. If you wish to access this information, please complete a 'Request Access to Information Form'. This form can be found on <http://www.angloms.co.za/portal/ams/privacy>. Please specify the information you would require. We will take all reasonable steps to confirm your identity before providing details of your personal information in respect of this request. We are entitled to charge a fee for this service and will let you know what it is at the time of your request.
27. The Scheme or Administrator may change this Privacy Statement at any time. It is your responsibility to check the website regularly to ensure that you are aware of these changes. By continuing to be a member you agree that the latest version will apply to you. The current version is available on <https://www.angloms.co.za/portal/ams/privacy>.  
If you believe that the Scheme or Administrator have used your personal information contrary to this Privacy Statement, you have the right to lodge a complaint with the Information Regulator. However, we encourage you to first follow our internal complaints process to resolve the complaint or contact the Information Officer at [privacy@angloms.co.za](mailto:privacy@angloms.co.za). If thereafter, you feel that we have not resolved your complaint adequately, kindly contact the Information Regulator (South Africa)  
| JD House | 27 Stiemens Street | Braamfontein | PO Box 31533 | Braamfontein | 2017 | Tel: +27 (0) 10 023 5200 | [POPIAComplaints@infoeregulator.org.za](mailto:POPIAComplaints@infoeregulator.org.za).

**Signature of main applicant**

**Date of signature**