

LIBCARE MEDICAL SCHEME PRIVACY STATEMENT - 2022

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

Definitions

The Scheme refers to Libcare Medical Scheme, registration number 1197, registered with the Council for Medical Schemes.

Administrator refers to Liberty Health Administration (Pty) Ltd, registration number 2004/006809/07.

You and your refers to the member and the dependants on the medical scheme which may include your spouse, children and other dependants as the case may be.

Your personal information refers to all personal information the Scheme has about you, or data subjects who are related to you or under your authority (“other data subjects”) (as relevant). It includes:

financial information;

- information about your health, race or ethnic origin, biometrics, criminal behaviour or religion;
- your gender;
- your age;
- unique identifiers such as your identity number or contact numbers; and

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

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

1. When you engage with the Scheme and its Administrator, you entrust us with personal information about yourself, your family. We are committed to protecting your right to privacy. The Scheme and its Administrator will keep your personal information confidential.
2. 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.
3. 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. Thus, your personal information comprises information you may have given us yourself or we may have collected from other sources.
4. 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 its Administrator require your acceptance to activate and service your medical scheme membership. If you do not accept these terms and conditions, we cannot activate and service your medical scheme membership.
5. If you share your personal information with any third parties, we will not be responsible for any loss suffered by you or your employer (where applicable).
6. 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 dependant's registration on 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. If you are giving consent for a person under 18 (a minor) you confirm that you are a competent person.
8. You agree that the Scheme and its Administrator may process your personal information for the following purposes:
 - to verify the accuracy, correctness and completeness of any information provided to the Scheme and its Administrator in the course of processing an application for membership or providing services related to the membership;
 - for the administration of your membership profile and benefits;
 - for the provision of managed care services to you on your membership;

- for the provision of relevant information to a contracted third party who requires this information in order to provide a healthcare service to you on your membership;
- to profile and analyse risk;
- to share your personal information with external health providers for them to assess or evaluate certain clinical information, in the event that you are subject to such a clinical assessment.

Examples of how this will happen include:

- I. Sharing your personal information with your chosen financial adviser during the application process to help the Administrator, if necessary, while we process your membership application;
- II. Getting your personal information from other relevant sources, including medical practitioners, contracted service providers, financial advisers, credit bureaus 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 consider 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;
- III. getting information from and sharing with your employer information that is relevant to your application;
- IV. Communicating with you about any changes in your membership, including your contributions or changes and enhancements to the benefits you are entitled to on your membership;
- V. Transferring your personal information outside the borders of the Republic of South Africa where appropriate, for example to administer claims incurred in the Common Monetary Area, or if you provide an email address which is hosted outside the borders of South Africa. We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.
- VI. If a third party asks the Scheme and Administrator for any of your personal information, we will share it with them only if:
 - we have a legal or contractual duty to give the information to that third party.
9. You consent and agree that:
 - we may process your information, including personal and special personal information, to adhere to South African legislative reporting obligations and to perform transaction monitoring activities;
 - we may communicate such personal information to local Regulatory Bodies if any Legislative reportable matters are identified.
10. By signing this application form, you authorise the Scheme and its Administrator to obtain and share information about your creditworthiness with any credit bureau or credit providers’ industry association or industry body, for the purpose of servicing your membership in line with the Scheme Rules. This includes information about credit history, financial history, judgments, default history and sharing of information for purposes of risk analysis, tracing and any related purposes.
11. We may process your information using automated means (without human intervention in the decision-making process) to make a decision about you or your application for membership or benefits in terms of the Scheme Rules. You may query the decision made about you in this process.
12. The Scheme and its Administrator have the right to communicate with you electronically about any changes on your plan, including your contributions or changes and improvements to the benefits you are entitled to on your plan.
13. The Scheme has a duty to keep you updated about any Scheme offers and Scheme new products that are made available from time to time.
14. You may opt out of Electronic Marketing on www.libcare.co.za. We will store your personal information to enable us to action this request and action it as soon as reasonably possible.
15. You have the right to know what personal information the Scheme holds about you. If you wish to receive this information, please complete a ‘PAIA Form to Request Access to Records’ on www.libcare.co.za and specify the information you would like. We will take all reasonable steps to confirm your identity before providing details of your personal information.

We are entitled to charge a fee for this service and will let you know what it is at the time of your request.
16. You agree that the Scheme and its Administrator may keep your personal information until you ask us to delete or destroy it. You have the right to ask us to update, correct or delete your personal information, unless the law requires us to keep it. Where we cannot delete your personal information, we will take all practical steps to de-personalise it.
17. Where the Scheme and its Administrator are required by law to collect and keep personal information, we shall do so. At a minimum, this includes the following legislation:

- Medical Schemes Act, 1998
 - The Consumer Protection Act, 2008
 - The Protection of Personal Information Act, 2013
 - Electronic Communications and Transactions Act, 2002
 - Promotion of Access to Information Act, 2002
18. You agree that the Scheme and its Administrator may transfer your personal information outside South Africa:
- if you give us an email address that is hosted outside South Africa, for the purpose of enabling us to correspond with you at that address; or
 - to administer certain services in terms of Scheme Rules, for example, cloud services.

When we share your information to administer certain services, we will ensure that any country, company or person that we pass your personal information to agrees to treat your information with the same level of protection as we are obliged to.

19. 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 in connection with the transaction. In the case of such an event, the new entity will have access to your personal information.
20. The Scheme may change this Privacy Statement at any time. The current version is available on www.libcare.co.za.
21. 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, under POPIA, but we encourage you to first make use of our 0800 12 CARE (2273) number in the first instance to access all Libcare services, as all your day-to-day queries and administration are dealt with there. If you wish to raise any matter/escalation with the Scheme, you may do so through the Principal Officer at tracey.unser@libcare.co.za. If, thereafter, you feel that we have not resolved your complaint adequately, kindly contact the Information Regulator at: The Information Regulator (South Africa)
22. JD House |27 Stiemens Street | Braamfontein |Johannesburg |PO Box 31533 |Braamfontein |Johannesburg |2001 | POPIAComplaints@infoeregulator.org.za or PAIAComplaints@infoeregulator.org.za.