

# **MOTO HEALTH CARE**

PAIA Manual

## Table of Contents

1. INTRODUCTION TO MOTO HEALTH CARE .....	3
2. CONTACT DETAILS OF MOTO HEALTH CARE .....	3
3. INFORMATION OFFICER .....	3
4. GUIDE OF THE INFORMATION REGULATOR .....	3
5. RECORDS HELD BY MOTO HEALTH CARE .....	4
6. INFORMATION AVAILABLE IN TERMS OF LEGISLATION.....	6
7. RECORDS AUTOMATICALLY AVAILABLE .....	7
8. PURPOSE OF PROCESSING PERSONAL INFORMATION.....	7
9. DATA SUBJECTS, THEIR PERSONAL INFORMATION AND POTENTIAL RECIPIENTS OF INFORMATION .....	8
10. PERSONAL INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA 12	
11. SECURITY MEASURES TO PROTECT PERSONAL INFORMATION.....	13
12. PROCEDURE TO OBTAIN ACCESS TO RECORDS OR INFORMATION.....	13
13. FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION .....	14
14. AVAILABILITY OF THIS MANUAL .....	14

## 1. INTRODUCTION TO MOTO HEALTH CARE

Moto Health Care (“Moto Health Care” / “the Scheme”), a registered restricted membership medical scheme in terms of the Medical Schemes Act 131 of 1998, offers medical scheme benefits to employees within the motor industry in South Africa. Moto Health Care is administrated by Momentum Health Solutions and supported by various contracted service providers. The Scheme is subject to the authority of the Council for Medical Schemes (“CMS”). The Scheme is governed by a Board of Trustees, which has a statutory duty to keep beneficiary information confidential.

## 2. CONTACT DETAILS OF MOTO HEALTH CARE

**Principal Officer:** Mr. Danie van Tonder  
**Physical Address:** 1<sup>st</sup> Floor, Holiday House, 156 Bram Fischer Drive, Randburg, 2194  
**Postal Address:** P.O. Box 3882, Randburg, 2125  
**Telephone Number:** +27 (0) 861329800  
**Email address:** [info@mhcmf.co.za](mailto:info@mhcmf.co.za)  
**Website address:** <https://www.mhcmf.co.za>

## 3. INFORMATION OFFICER

**Name:** Ms. T.A. Gucher-Greeff  
**Contact number:** +27 (0) 861329800  
**Email address:** [terry@mhcmf.co.za](mailto:terry@mhcmf.co.za)

## 4. GUIDE OF THE INFORMATION REGULATOR

The Information Regulator compiled a Guide, in terms of Section 10 of the Promotion of Access to Information Act 2 of 2000 (“PAIA”), to assist persons wishing to exercise their rights in terms of this Act. This Guide contains, amongst others, the following information:

- The purpose of PAIA;
- The manner, form and costs of a request for access to information held by a body;
- Legal remedies when access to information is denied;
- Assistance that the Information Regulator can provide;

- Mechanisms to obtain the contact details of Information Officers; and
- Relevant legislation.

The Guide is available in all the official languages on the website (<https://www.justice.gov.za/infoereg/>) of the Information Regulator or can be obtained from the Information Regulator at:

**Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

**Postal address:** PO Box 31533, Braamfontein, Johannesburg, 2017

**E-mail address:** enquiries@infoeregulator.org.za

The Guide can also be obtained upon request from the Information Officer of the Scheme. A copy of the Guide is available for public inspection during normal office hours at the offices of Moto Health Care. During periods when employees work remotely, a copy of the Guide can be obtained by contacting the Information Officer at the contact details supplied above.

## **5. RECORDS HELD BY MOTO HEALTH CARE**

Moto Health Care holds the following categories of records:

### **4.1 Statutory records:**

Documents related to the registration of the Scheme in terms of the Medical Schemes Act, such as the Scheme Rules and its registration certificate; statutory returns; benefit guides; and other documents provided to the CMS and the Registrar of Medical Schemes.

### **4.2 Governance records:**

Documentation related to the Board of Trustees and committees of the Scheme; the appointment or election of trustees and committee members; Board Charter, committees' terms of reference; protocols and policies; meeting packs and minutes; and other governance-related documents.

### **4.3 Employment / Appointment records:**

Employment contracts; conditions of employment and workplace policies; skills development plans and training records; salary register; relevant tax records; leave records; medical scheme membership records; and correspondence.

**4.4 Health and safety records:**

Evacuation plan; and health and safety incident reports.

**4.5 Beneficiary records:**

Membership records comprising, amongst others, application forms and supporting documentation; other forms and documents completed by beneficiaries; authorisation requests and decisions; Scheme decisions; records related to payment of contributions; medical reports; clinical motivations; benefit utilisation; relevant medical records; medical scheme membership history; tax certificates; claims statements; underwriting decisions; terminations; suspensions; complaints and disputes; and correspondence.

**4.6 Broker records:**

Agreements; proof of accreditation and licensing; payments; and correspondence.

**4.7 Health care service provider records:**

Claims, statements and remittances; payments; agreements; and correspondence.

**4.8 Employer records:**

Participating employer records, including contribution payment records and correspondence.

**4.9 Financial records:**

Management accounts; Annual Financial Statements; auditor's reports; accounting records; bank statements; invoices, statements, receipts and related documents; tax returns and related documentation.

**4.10 Records related to assets:**

Asset register; purchase records; financing and lease agreements; sale and purchase agreements; delivery notes and orders; software licences; rental payments; sale and purchase agreements.

**4.11 Service providers, vendors, consultants and suppliers:**

Agreements; documents published in the public domain; market information and correspondence.

**4.12 Other public and private body records:**

Agreements; official documents and documents published in the public domain; minutes of meetings; and correspondence.

**4.13 Legal records:**

Legal opinions and advice; pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation; fraud investigations and related records.

**4.14 Insurance records:**

Insurance policies and related records; claims records.

**6. INFORMATION AVAILABLE IN TERMS OF LEGISLATION**

Moto Health Care holds records as may be required in terms of the legislation listed below subject to the specific protection offered by these laws.

<b>Applicable Legislation</b>	<b>Category of Records</b>
Basic Conditions of Employment Act 75 of 1997 and Labour Relations Act 66 of 1995	Employment contracts and related documentation
Council for Medical Schemes Levies Act 58 of 2000	Proof of scheme levies paid
Disaster Management Act 57 of 2002	COVID-19 screening records
Electronic Communications and Transactions Act 25 of 2002	Proof of electronic transactions
Income Tax Act 58 of 1962 and Tax Administration Act 28 of 2011	Employees' tax-related information and payments made to officers, service providers and suppliers
Medical Schemes Act 131 of 1998	Scheme Rules, Annual Reports and other statutory documents prescribed
Occupational Health and Safety Act 85 of 1993 and Compensation for Occupational Injuries and Diseases Act 130 of 1993	Health and safety incidents; ergonomics records; claims and records related to claims for occupational diseases and injuries
Promotion of Access to Information Act 2 of	PAIA Manual and PAIA Guide

2000	
Protection of Personal Information Act 4 of 2013	PAIA Manual and policies related to the protection of personal information, including a record-keeping policy
Skills Development Levies Act 9 of 1999 and Skills Development Act 97 of 1998	Records related to payment of levies
Unemployment Contributions Act 4 of 2002 and Unemployment Insurance Act 63 of 2001	Records related to payment of UIF contributions and relevant employee records
Value Added Tax Act 89 of 1991	VAT records

## 7. RECORDS AUTOMATICALLY AVAILABLE

The Scheme records listed below are available without a person having to request access by completing Form 2. Access and usage of the records are subject to the Website Terms and Conditions as well as the Privacy Policy of Moto Health Care.

Types of Records	Available on Website	Available on Scheme App	Available upon request
Schedule of Benefits	X		X
All documents available on the website	X		
Members' claims records, benefit statements and pre-authorisation decisions available to members on their individual profiles	X	X	X

## 8. PURPOSE OF PROCESSING PERSONAL INFORMATION

Moto Health Care processes personal information of data subjects for the following purposes:

- to conduct the business of a medical scheme in terms of the Medical Schemes Act, including admission to membership, risk assessment of beneficiaries, under-writing, risk

management, disease management, benefit management, the assessment and payment of beneficiary claims, the collection of contributions and debts and for managed health care and forensic investigation purposes;

- for governance purposes;
- for employment and related matters;
- to verify provider details;
- to comply with relevant legislation;
- to report to persons and bodies as required and authorised in terms of the Rules, legislation or by the data subjects;
- for the maintenance of assets;
- for communication purposes;
- for marketing purposes;
- for client services;
- for procurement;
- for historical, statistical and research purposes;
- for market research;
- for enforcement of the Scheme's rights; and
- for any other lawful purpose, which relates to the business of a bargaining council Scheme.

## **9. DATA SUBJECTS, THEIR PERSONAL INFORMATION AND POTENTIAL RECIPIENTS OF INFORMATION**

Moto Health Care holds the personal information in respect of the categories of data subjects specified below as may be relevant in the circumstances. The potential recipients of this information are also specified. Information and records are only disclosed to recipients as may be necessary in the circumstances and authorised in terms of the law or otherwise with the consent of the relevant data subject.

### **8.1 Beneficiaries**

#### ***Categories of personal information:***

Full names and surnames; titles; addresses; contact details; identity numbers; dates of birth; age; gender; home language; employment details (e.g., employer, employee number, employment date); dependants' details; relationship of dependant with principal member; dependant status; income; bank details; health information, including pre-existing conditions,



pregnancy, diagnoses and treatment; previous medical scheme cover; details of treating providers; membership contributions and payment-related information; authorisation requests, claims, Schemeing decisions, benefit allocation and benefit utilisation; waiting periods and late joiner penalties; membership entry and termination dates; information related to complaints and disputes; telephone call recordings; and correspondence.

***Potential Recipients:***

Officers, employees, service providers, suppliers and vendors that assist the Scheme to provide the services and that perform functions related to the Scheme’s business on a need-to-know basis; contracted brokers; suppliers and service providers who perform functions related to the administration of the Scheme’s business and the provision of managed health care services on a need-to-know basis and subject to confidentiality undertakings; member selected representatives (brokers / healthcare consultants); regulatory and other public or private bodies, persons or entities, as permitted in terms of the Rules, legislation, the relevant beneficiary, or as may be required or permitted in terms of the law (e.g., the CMS); banks; South African Revenue Services (“SARS”); professional and legal advisers; accountants and auditors; debt collectors / attorneys when contributions are outstanding; insurers; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

8.2 Trustees, Committee Member and Nominees

***Categories of personal information:***

Full names and surnames; titles; identity numbers; age; addresses; contact details; nationalities; gender; qualifications; photos; other information included on nomination forms; curriculum vitae (“CVs”); declarations of interests; signatures of official signatories and proof of residence, if required by the bank; bank details, position held at the Scheme; records of meeting attendance and participation (recordings of virtual meetings), information included in minutes of meetings and participation in business-related matters / events on behalf of the Scheme; COVID-19 screening information, if applicable; and correspondence.

***Potential Recipients:***

Officers, employees, beneficiaries, service providers, suppliers and vendors that assist the Scheme to provide the services and that perform functions related to the Scheme’s business on a need-to-know basis, subject to confidentiality undertakings where applicable; professional and legal advisers; accountants and auditors; insurers; law enforcement

structures, including courts and tribunals; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

### 8.3 Employees and Job Applicants

#### ***Categories of personal information:***

Full names and surnames; titles; identity numbers; age; addresses; contact details; positions or roles at the Scheme; nationalities; gender; race; qualifications; vetting reports; photos; references; other information included on CVs; relevant medical and disability information; employment-related information such as sick certificates, performance and disciplinary records, salary information, tax numbers and employment history; bank details, next-of-kin; and correspondence.

#### ***Potential Recipients:***

Officers, employees, service providers, suppliers and vendors that assist the Scheme to provide the services and that perform functions related to the Scheme's business on a need-to-know basis; vetting agencies; next-of-kin in emergency situations; professional and legal advisers; accountants and auditors; insurers; law enforcement structures, including courts and tribunals; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

### 8.4 Health Care Providers

#### ***Categories of personal information:***

Full names and surnames / entity names; titles; addresses; contact details; practice code numbers; qualifications; website addresses; relevant staff members' / contact persons' names, surnames and contact details; bank details; bank verification letters; designated service provider (DSP) / preferred provider network status; claims, remittance advices and payment related information; utilisation of scheme benefits; and correspondence.

#### ***Potential Recipients:***

Officers and employees; beneficiaries; banks; SARS; professional and legal advisers; accountants and auditors; insurers; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to

comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

### 8.5 Brokers

***Categories of personal information:***

Full names and surnames / entity names; titles; addresses; contact details; qualifications; proof of accreditation and licensing; relevant staff members' / contact persons' names, surnames and contact details; bank details; bank verification letters; payment related information; performance; and correspondence.

***Potential Recipients:***

Officers and employees; banks; CMS; SARS; professional and legal advisers; accountants and auditors; insurers; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

### 8.6 Employer Groups

***Categories of personal information:***

Names, locations and addresses; names, surnames and contact details of contact persons; contribution payment and related information; number of employees; bank details; and correspondence.

***Potential Recipients:***

Officers and employees; professional and legal advisers; accountants and auditors; insurers; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

### 8.7 Suppliers, Vendors, Other Persons and Public and Private Bodies

***Categories of personal information:***

Entity names, addresses, contact details and website addresses; names, surnames, titles, contact details and positions of contact persons; Names, surnames, titles and contact details of employees' next-of-kin; qualifications; licences; accreditation; performance; proposals,

agreements and related information; payment information including banking details and VAT Numbers; official documentation, such as newsletters and brochures; BBBEE status; FTP details; COVID-19 screening information of visitors to the Scheme's offices; and correspondence.

***Potential Recipients:***

Officers and employees; members; professional and legal advisers; accountants and auditors; our insurers; and relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

8.8 Insurers

***Categories of personal information:***

Entity names, addresses, contact details and website addresses; names, surnames, titles, contact details and positions of contact persons; claims; payment-related information; correspondence.

***Potential Recipients:***

Relevant officers and employees; professional and legal advisers; accountants and auditors; Relevant persons or entities as required or permitted by law, where the Scheme is under a duty to disclose or share the information in order to comply with any legal obligation or to protect the rights, property or safety of its business, employees, the public or others.

**10. PERSONAL INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA**

Details of beneficiaries, who are abroad in the SADEC countries and in need of emergency care, are sent to the Schemes' international emergency service providers. Moto Health Care is not planning to send any personal information about any data subject to any other third party in a foreign country. Should this be required, relevant data subject consent will be obtained, if required, and transfers of such information will occur in accordance with the requirements of the law.

## **11. SECURITY MEASURES TO PROTECT PERSONAL INFORMATION**

Moto Health Care is committed to ensuring the security of its personal information in order to protect it from unauthorised processing and access as well as loss, damage or unauthorised destruction. The Scheme has implemented and continually reviews and updates its information protection measures to ensure the security, integrity, and confidentiality of the information in accordance with industry best practices. These measures include the physical securing of the offices where information is held; secure storage of physical records; password control to access electronic records; and off-site data back-ups. In addition, only those officers, employees and service providers or suppliers that require access to personal information to discharge their functions and to render services to the Scheme are granted access to this information and only if they have concluded agreements with the Scheme or provided undertakings regarding the implementation of appropriate security measures, maintaining confidentiality and processing the information only for the agreed purposes. Suppliers and vendors are required to adhere to the strict policies and processes implemented by the Scheme and are subject to sanctions for any security breach. All security breaches are taken seriously and are addressed in accordance with the law.

## **12. PROCEDURE TO OBTAIN ACCESS TO RECORDS OR INFORMATION**

The fact that information and records are held by Moto Health Care as listed in this Manual should not be construed as conferring upon any requester any right to that information or record. PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any right. If a public body lodges a request, the public body must be acting in the public interest. Access to records and information (other than that listed on the Scheme's website) is not automatic. Any person, who require access to any of the above records or information, must complete a request form (Form 2), which is available from the Information Officer of the Scheme or the Information Regulator at the contact details stipulated above.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester must identify the right he/she is seeking to exercise or protect and explain why the record requested is required for the exercise or protection of that right. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the request is made to the satisfaction of the Information Officer. Access to the requested records or information or parts of the records

or information may be refused in terms of the law. Requesters will be advised of the outcome of their requests.

### **13. FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION**

Fees may be charged for requesting and accessing information and records held by Moto Health Care. These fees are prescribed in terms of PAIA. Details of the fees payable may be obtained from the Information Officer. The fees are also available from the Information Regulator.

### **14. AVAILABILITY OF THIS MANUAL**

A copy of this Manual is available for inspection, free of charge, at the Scheme's offices and on its website. A copy of the Manual may also be requested from the Information Officer against payment of a fee as may be applicable.