

2021

DISCOVERY HEALTH

# PRIVACY STATEMENT

## How we will process and disclose your personal information and communicate with you

### Definitions

**The Scheme** refers to Schemes administered by Discovery Health (Pty) Ltd, the Administrator, registered with the Council for Medical Schemes.

**Administrator** refers to Discovery Health (Pty) Ltd, registration number 1997/013480/07, an authorised financial services provider, a Council for Medical Schemes accredited administrator and managed care organisation and a subsidiary of Discovery Limited (registration number 1999/007789/06).

**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 personal information about you, and your employees (as relevant). It includes information about race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual amongst other things.

**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 Administrator, you entrust us with personal information about yourself, your family, and in some cases, your employees. We are committed to protecting your right to privacy. 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.
- 2 | The Scheme and Administrator will keep your personal information confidential.
- 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 to 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 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 | You understand and/or acknowledge that when you include your spouse and/or dependents on your application, we will process their personal information for the activation of the policy/benefit and to pursue their legitimate interest. By submitting your dependents' 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 and in the manner set out in this Privacy Statement.
- 6 | If you are giving consent for a person under 18 (a minor) you confirm that you are a competent person and that you have authority to give their consent on their behalf.
- 7 | 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 or your employer (where applicable).
- 8 | Each party accepts responsibility to the extent that the processing activities of 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 occur, but only if the processing of that personal information is controlled by that party.
- 9 | You understand and accept that the Scheme and Administrator may process your personal information for the following purposes:
  - 9.1 | to verify the accuracy, correctness and completeness of any information provided to the Scheme and Administrator in the course of processing an application for membership or providing services related to the membership;

- 9.2 | for the administration of your health plan;
  - 9.3 | for the provision of managed care services to you on your health plan;
  - 9.4 | for the provision of relevant information to a contracted third party who requires this information in order to provide a healthcare service to you on your health plan;
  - 9.5 | to profile and analyse risk;
  - 9.6 | 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.
- 10 | Examples of when and how we will get and share your personal information include:
- 10.1 | 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;
  - 10.2 | Getting your personal information from other relevant sources, including medical practitioners, contracted service providers, financial advisers, credit bureaus, entities that are part of Discovery Group 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;
  - 10.3 | If you have joined as a member of an employer group, getting from and sharing with your employer information that is relevant to your application;
  - 10.4 | By signing this application form, you authorise the Scheme and Administrator to obtain and share information about your creditworthiness with any credit bureau or credit providers’ industry association or industry body. 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.
  - 10.5 | Communicating with you about any changes in your health plan, including your contributions or changes and enhancements to the benefits you are entitled to on the health plan you have chosen;
  - 10.6 | Transferring your personal information outside the borders of the Republic of South Africa where appropriate, for example to administer international emergency or treatment benefit and Africa Benefit, or if you provide an email address which is hosted outside the borders of South Africa, or for processing, storage or academic research.
- 11 | If a third party asks the Scheme and Administrator for any of your personal information, we will share it with them only if:
- 11.1 | you have already given your consent for the disclosure of this information to that third party; or
  - 11.2 | we have a legal or contractual duty to give the information to that third party.
- 12 | The Scheme and the Administrator will provide your personal information to any entity (including an entity forming part of Discovery Limited) with whom you or your dependant/s already have a relationship; or where you or your dependant/s have applied for a product, service or benefit from such an entity. This information will be provided for the administration of your or your dependant/s products or benefits with such entities.
- 13 | Your personal information may be shared with third parties such as academics and researchers, including those outside South Africa. We ensure that the academics and researchers will keep your personal information confidential and all data will be made anonymous to the extent possible and where appropriate. No personal information will be made available to an academic or research party unless that party has agreed to abide by strict confidentiality protocols that we require. If we publish the results of this research, you will not be identified by name.
- 14 | You agree that the Scheme and Administrator may transfer your personal information outside South Africa:
- 14.1 | if you give us an email address that is hosted outside South Africa; or
  - 14.2 | to administer certain services, for example, cloud services.
- 15 | 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.
- 16 | 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 to agrees to treat your information with the same level of protection as we are obliged to.
- 17 | You consent and agree that:
- 17.1 | 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;

17.2 | we may communicate such personal information to local Regulatory Bodies as well as to other relevant governance structure of Discovery Limited if any Legislative reportable matters are identified.

- 18 | 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 any product or service. You may query the decision made about you.
- 19 | The Scheme and Administrator have the right to communicate with you electronically about any changes on your health plan, including your contributions or changes and improvements to the benefits you are entitled to on the health plan you have chosen.
- 20 | The Scheme and Administrator have a duty to keep you updated about any offers and new products that are made available from time to time. The Scheme, Administrator, any entity of Discovery Limited and/or any contracted third-party service providers may communicate with you about these.
- 21 | You may opt out of Electronic Marketing on [www.discovery.co.za](http://www.discovery.co.za) or the Discovery App. We will store your personal information for the purpose to action this request and action it as soon as reasonably possible.
- 22 | 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. 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.
- 23 | Where the Scheme and Administrator are required by law to collect and keep personal information, we shall do so. At a minimum, this includes the following:
- 23.1 | Legislation applicable to the Scheme and the Administrator:
- 23.1.1 | Medical Schemes Act, 1998
  - 23.1.2 | The Consumer Protection Act, 2008
  - 23.1.3 | The Protection of Personal Information Act, 2013
  - 23.1.4 | Electronic Communications and Transactions Act, 2002
  - 23.1.5 | Promotion of Access to Information Act, 2002
- 23.2 | Legislation specific to Discovery Health (Pty) Ltd only:
- 23.2.1 | Financial Advisory and Intermediary Services Act, 2002
- 24 | 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 <https://www.discovery.co.za/medical-aid/about-discovery-health> and specify the information you would like. 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.

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 follow our internal complaints process to resolve the complaint. We explain the complaints and disputes process on the website <https://www.discovery.co.za/medical-aid/about-discovery-health> or contact the Administrator's Information Officer at [privacy@discovery.co.za](mailto:privacy@discovery.co.za). If, thereafter, you feel that we have not resolved your complaint adequately kindly contact **The Information Regulator** at: |33 Hoofd Street | Forum III, 3<sup>rd</sup> Floor | Braampark | Braamfontein | PO Box 31533 | Braamfontein | 2017 | Tel: +27 (0) 10 023 5207 | Cell No: +27 (0) 82 746 4173 | [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)