

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

Case No: 2025-150109

In the application of:

IAN BRYCE FLEMING N.O.

Applicant

(in his capacity as curator of Sizwe Hosmed Medical Scheme)

and

THE REGISTRAR OF MEDICAL SCHEMES

First Respondent

SIZWE HOSMED MEDICAL SCHEME (IN

Second Respondent

CURATORSHIP)

THE INDIVIDUALS LISTED IN ANNEXURE “FA5”

**Third to Thirteenth
Respondents**

In re:

THE REGISTRAR OF MEDICAL SCHEMES

Applicant

and

SIZWE HOSMED MEDICAL SCHEME

Respondent

**NOTICE TO MEMBERS OF SIZWE HOSMED MEDICAL SCHEME (IN
CURATORSHIP)**

**Application to the High Court to extend the curatorship by a further twelve month
period**

Date of publication of this notice	27 October 2026
Last day to apply to be heard	18 November 2026, being fifteen court days after publication (see paragraphs 19 to 21 below)
Where to read the court papers	www.sizwehosmed.co.za under “Member Communication” (see paragraphs 15 and 16 below)

WHY YOU ARE RECEIVING THIS NOTICE

- 1 You are a member of Sizwe Hosmed Medical Scheme (“the Scheme”). The High Court in Pretoria placed the Scheme under curatorship by an order dated 3 September 2025, which it confirmed on 9 October 2025. The court appointed Ian Fleming as curator on 11 February 2026.

- 2 On 21 October 2026 the curator, with the agreement of the Registrar for Medical Schemes, launched an application to ask the High Court to extend the curatorship for an additional twelve month period. This notice tells you what specifically the curator has asked for and why, what will happen next, and how you may be heard if you wish to be.

WHAT THE COURT ORDER REQUIRED

- 3 The curatorship order gave the curator an initial period of twelve months, to 3 September 2026, to do three things: i) to report every month to the Registrar for Medical Schemes on the steps that the curator is taking to restore the financial, administrative and operational health of the Scheme; ii) to report, before the end of the initial twelve months, to the Registrar and the Scheme on the curatorship and on whether it should continue; and iii) to call a special general meeting at which members elect a new board of trustees in the event that the curatorship was not to continue.
- 4 The monthly reports have been delivered. The twelve months have passed. But the election has not been held, and the Scheme still has no elected board. This is because the curator, with the approval of the Registrar, seeks to extend the curatorship for an additional twelve month period.

WHY THE ELECTION HAS NOT BEEN HELD

- 5 When Ian Fleming took office in February 2026, five of the twelve months had already gone. The Scheme had lost two thirds of its members. Its 2023 and 2024 financial statements had not been finalised. It depended entirely on an outside administrator, 3Sixty Health, which kept the member register and ran every channel through which members are reached. The curator team planned to hold the election in September or October 2026.
- 6 In July 2026, 3Sixty Health told the curator that it was in financial distress and could not carry on. The Scheme had no other administrator, and some 18 000 beneficiaries whose claims had to be paid. With the approval of the Council for Medical Schemes, the Scheme took over its own administration on 1 September 2026. Claims have been paid every week throughout.
- 7 The curator cannot responsibly pass the reigns of control and leadership onto a newly elected board of trustees now, for five main reasons.
- 7.1 The Scheme is in the middle of the move to self-administration. By 31 October 2026, it must give the Registrar a costed plan for permanent administration. By 30 April 2027, it must be accredited as its own administrator or have appointed an accredited administrator.
- 7.2 The member register is being verified. The contact details of many members are incomplete or out of date. A fair ballot needs a register that reaches every member.
- 7.3 The membership is about to change. In the open period, from 1 October to 31 December 2026, members may leave and former members may return. A board elected in November 2026 might not represent the members of 2027.

- 7.4 An election under the Scheme's rules takes about five months. It needs an independent electoral body, a call for nominations, the vetting of every candidate, a ballot of every member and an independently verified count. None of this is in place.
- 7.5 The curator has taken material steps to restore the financial, administrative and operational health of the Scheme. Whilst undergoing these changes, the Scheme is not in a position to be handed over to a newly elected board of trustees just yet.
- 8 The Registrar of Medical Schemes, who obtained the curatorship order, supports the application to extend the curatorship. On 2 October 2026 the Council for Medical Schemes directed the curator to bring it.

WHAT THE CURATOR HAS ASKED THE COURT TO DO

- 9 The curator has asked the High Court to:
- 9.1 extend the twelve months in paragraphs 9.4, 9.5 and 9.6 of the curatorship order to twenty-four months, so that the period ends on 3 September 2027;
- 9.2 condone, that is to excuse, any non-compliance with the deadlines stipulated in the curatorship order which are not material;
- 9.3 treat the monthly reports delivered since 3 September 2026 as reports under the order as extended; and
- 9.4 allow the Registrar or the curator to return to the Court on the same papers if any term of the order cannot be met.
- 10 If no one opposes the application, the curator has asked for no order as to costs. If it is opposed, the curator has asked that the party opposing it pay the costs of the opposition.

WHAT THE APPLICATION DOES NOT DO

- 11 It does not change your benefits, your contributions or your cover. Claims will continue to be paid as they are now.
- 12 It does not decide whether the Scheme should have been placed under curatorship. The former trustees have appealed against the confirmation of the curatorship order. The Full Court is due to hear that appeal on 17 February 2027. This application does not affect it.
- 13 It does not permanently fix the length of the curatorship. The Court may end the curatorship at any time if good cause is shown, and the Registrar may ask it to do so.

THE MEETING ON 14 NOVEMBER 2026

- 14 Notice of the special general meeting on 14 November 2026 will be given separately. At that meeting, the 2023 and 2024 audited financial statements will be tabled, and you will be given a full account of the Scheme's finances, its membership, the move to self-administration and this application. You may table motions and put questions. It is not the election meeting.

WHERE TO READ THE COURT PAPERS

- 15 The notice of motion, the curator's founding affidavit with its annexures, and the confirmatory affidavits may be read on the Scheme's website at www.sizwehosmed.co.za under "Member Communication". Any further affidavits filed in the application will be added there.
- 16 You may also ask for a copy, in hard copy or by email. Ask at the Scheme's registered office, Waterfall Office Park, 1 Bekker Road, Vorna Valley, Midrand, during office hours, or write to curatorship@sizwe-hosmed.co.za.

HOW TO BE HEARD IF YOU WISH TO BE HEARD

- 17 You do not have to do anything. Your membership and your benefits are not affected by this application, whatever its outcome.
- 18 If you want the Court to hear your views, whether you support the application or oppose it, you must apply to the High Court for leave to intervene in the application. You must do so within fifteen court days of the date of publication of this notice, that is, by 18 November 2026. Court days are Mondays to Fridays, excluding public holidays.
- 19 An application for leave to intervene is made by notice of motion, supported by an affidavit. The affidavit should say who you are, that you are a member of the Scheme, and what you wish to say to the Court. The application must be:
- 19.1 filed with the Registrar of the High Court, Gauteng Division, Pretoria, under case number 2025-150109;
 - 19.2 delivered to the curator's attorneys, Fluxmans Inc, at the address at the end of this notice; and
 - 19.3 served on the other parties to the application, whose addresses appear in the notice of motion.
- 20 You may act in person or through an attorney. You are encouraged to take legal advice before you apply, including about costs (see paragraph 10).
- 21 If the application is not opposed, it will be heard on 4 January 2027 at 10h00. If it is opposed, the Court will allocate a date for the hearing and the curator will ask for the application to be heard as soon as possible.
- 22 Members will be informed of the outcome of the application within five court days of the Court's order, in the same way as this notice.

QUESTIONS

- 23 Questions about this notice may be sent to the Scheme by email to curatorship@sizwe-hosmed.co.za or by telephone on 0860 100 871. Court papers must be delivered to the attorneys at the address below.

IAN BRYCE FLEMING

Curator: Sizwe Hosmed Medical Scheme (in curatorship)

27 October 2026

Attorneys for the curator

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