

**PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL
(PSCBC)**

RESOLUTION NO. 11 OF 2000

**AGREEMENT ON MEDICAL ASSISTANCE TO EMPLOYEES WHO ARE
STATIONED ABROAD OR WHO ARE ON OFFICIAL VISITS ABROAD**

Parties to the PSCBC note that:-

1. Part II of Chapter D.IX of the Public Service Staff Code provided extensively for medical assistance to employees who are stationed abroad or who are on official visits abroad; and
2. Resolution no 3 of 1999 replaced the Public Service Staff Code, but mistakenly did not provide for the continuation of these provisions.

The Parties therefore resolve:

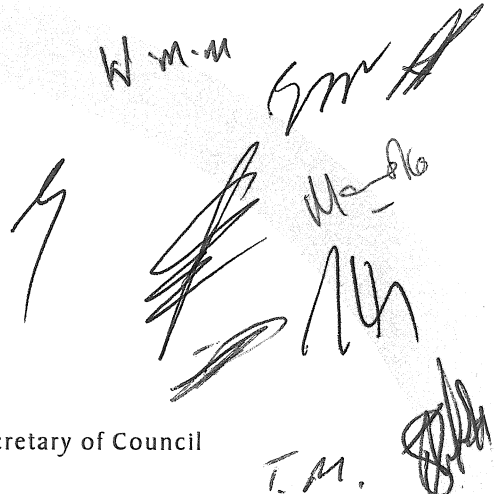
1. To amend Resolution no. 3 of 1999 and,
2. That the attached document on medical assistance to officials who are stationed abroad or who are on official visits abroad, becomes part of Resolution no 3 of 1999 as Annexure 1 to that Resolution and that it comes into effect on the same date as Resolution no 3 of 1999.

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This agreement binds:-

- (a) the employer;
- (b) the employees of the employer who are members of the trade union parties to this agreement; and
- (c) the employees of the employer who are not members of any trade union parties to this agreement, but who fall within the registered scope of the Council.

If there is a dispute about the interpretation or application of this agreement, any party may refer the matter to the Council for resolution in terms of the dispute resolution procedure of the Council.

The Council will monitor the implementation of this agreement.

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J.H.

THIS DONE AND SIGNED AT BENONI ON THIS 24 DAY
OF NOVEMBER 2000

ON BEHALF OF THE STATE AS EMPLOYER

	Name	Signature
State as employer	Mandlo Nchwe	Mandlo Nchwe

ON BEHALF OF TRADE UNION PARTIES

Trade Union	Name	Signature
DENOSA		
HOSPERSA	PRADESH PILLAY	
NAPTOSA	E. M. BIYELA	
NUPSAW		
NPSWU	R. JOHNSON	
NEHAWU		
PAWUSA	NEVILLE PETERSEN	
POPCRU		
PSA	H. N. O. C. LERO	
SADTU	W. M. MADISITA	
SAPU	T. P. HETUKA	
SAOU	J. C. KOPPEN	

ANNEXURE 1

MEDICAL ASSISTANCE

MEDICAL ASSISTANCE TO OFFICIALS WHO ARE STATIONED ABROAD OR WHO ARE ON OFFICIAL VISITS ABROAD

1. PURPOSE

To render assistance with the cost of medical and related services to officials as well as their dependants who are stationed abroad or who are on official visits abroad.

2. DEFINITIONS

For the purpose of this Part -

- "abroad" - means any country outside the borders of the Republic of South Africa.
- "medical scheme" - means a medical scheme which is registered in terms of an Act that governs the business of medical schemes.
- "stationed" - means the transfer and settlement of an official abroad. It also includes an official seconded to another Government or institution abroad, except where a secondment agreement contains specific stipulations with regard to medical assistance.

3. AUTHORIZATION

- 3.1 The authority to approve expenditure for the medical treatment of officials stationed abroad, or who are officially visiting abroad, rests with the head of department who may delegate this authority.

4. SCOPE OF APPLICATION

The measures in this Part are -

- 4.1 applicable to an official, as well as his or her dependants, who are stationed abroad and who receive medical treatment there or during visits to the Republic;
- 4.2 *mutatis mutandis* applicable to the husband and/or children of a married female official who accompany her abroad;

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- 4.3 subject to paragraph 6.1.3, **mutatis mutandis** applicable to the dependant children of officials abroad who live in the Republic or who visit their parents abroad;
- 4.4 **mutatis mutandis** applicable to a person, other than an official, employed in terms of subsection 15(2) of the Public Service Act, 1994 for the purpose of utilising his services abroad; and
- 4.5 applicable to an official who is on an official visit abroad.

5. PROVISIONS

5.1 Officials stationed abroad

5.1.1 The difference between the cost of a medical or related service abroad in respect of which an official's medical scheme grants benefits and the actual benefits paid out by the medical scheme concerned in terms of its Rules, may be paid from State funds: Provided that the State's contribution with regard to the services referred to in paragraph 6.1.6 of this Part, is limited to a certain amount as prescribed.

5.1.2 In terms of existing public service measures an official and his or her dependants may be compensated from State funds for subsistence and travelling expenses necessarily and inevitably incurred in order to acquire specific medical and related services elsewhere than at his or her station. The benefit is subject thereto that a particular service is not available at the official's station or that it is of an unacceptably low standard. Despite the aforementioned provisos subsistence and travelling costs may be paid from State funds in cases where it could be a less expensive arrangement to convey a person to a suitable place elsewhere than his or her station for medical treatment, taking into account the subsistence and travelling costs.

5.2 Officials who are on official visits abroad

When an official is on an official visit abroad and he or she must necessarily and inevitably make use of medical services there, the difference between the cost of such treatment abroad and the cost of a similar service charged by a supplier of such a service in the Republic may be refunded to him or her from State funds. The measure is **mutatis mutandis** applicable in respect of the spouse of an official who accompanies him or her officially.

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6. GENERAL MEASURES

6.1 Officials stationed abroad

6.1.1 Membership of a medical scheme

- (a) In order to qualify for the benefits in this Part, an official has to be a member or a dependant (recognised as such by the medical scheme) of a member of a registered medical scheme in the Republic which grants benefits with regard to medical or related expenses incurred abroad and which is willing to make such payments to the Department of Foreign Affairs.
- (b) In the case where an official is seconded to an institution abroad and he or she will be compelled to obtain membership of a medical scheme to which the employees of the relevant institution have to become members, the medical assistance, where applicable, must be entrenched in the secondment agreement concerned.

6.1.2 Own Contributions

In order to qualify for the benefits provided for in this Part an amount in accordance with the tariffs as recommended by the Commission from time to time, and subject to paragraph 6.1.3 below, must be deducted from the official's salary and paid into Revenue. This Own Contribution is payable as from the first day of the month following the month in which the member concerned leaves the borders of the Republic until the last day of the month in which he or she is transferred back to the Republic : Provided that this period will not be regarded to be interrupted by periods of absence for whatever reason : Provided further that the husband and/or the children of a married female official who accompany her abroad must be taken into account for the calculation of the Own Contribution.

6.1.3 Children of divorced officials serving abroad, who are resident within the Republic

Children of divorced officials abroad who are registered as dependants of such official's medical scheme but who are staying with the former spouse within the Republic, qualify *mutatis mutandis* for the basis of assistance set out in this Part subject thereto that -

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- (a) they on a **bona fide** basis stay with the former spouse and otherwise comply with the requirements relating to dependant children ~~as meant in the definition of "household" in Public Service Regulation A1.1;~~
- (b) they are taken into account for the purpose of calculating the Own Contribution which an official abroad has to pay;
- (c) the Own Contribution is paid for the duration of the official's stay abroad; and
- (d) where applicable, the official beforehand exercises a choice to let such children participate in the basis of assistance contained in this Part.

6.1.4 Subsistence and travelling expenses

The subsistence and travelling expenses referred to in paragraph 5.1.2 above, also apply in the following circumstances. The necessity of accompaniment under the circumstances meant in (a), (b) and (c) must, in each case, be confirmed on the basis of a medical certificate :

- (a) When a parent accompanies a child who has to undergo medical treatment.
- (b) When a spouse accompanies an official who has to undergo medical treatment.
- (c) When an official accompanies his or her spouse who has to undergo medical treatment.
- (d) When the dependant children of an official or those of his or her spouse accompany him or her or his or her spouse who has to undergo medical treatment. This measure is subject thereto that no alternative arrangements could be made for their care at the official's station.

6.1.5 Relief-aid

An official experiencing problems to meet financial obligations resulting from the acquiring of a medical service that is recognised for benefit purposes by his or her medical scheme, may apply for relief-aid e.g. an advancement or the direct settlement of the medical bill. Such assistance is subject thereto that the payment of such amount or deposit for which application is made, is demanded by the supplier of a service concerned and that it is taken into account when claims are being processed.

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6.1.6 Limits on employer contributions

The employer contribution with regard to the following medical services is subject to certain limits, calculated in accordance with a basis recommended by the Commission in consultation with the Department of Foreign Affairs and other government institutions with personnel abroad. When circumstances in individual countries justify it, such limits are annually adjusted with the increase in the general consumer price index in each country by the Department of Foreign Affairs :

- (a) Crown- and bridgework of teeth.
- (b) Spectacle frames.
- (c) Contact lenses.

6.1.7 Medical examinations

An official who is transferred abroad, as well as his or her dependants who will accompany him or her, must prior to their departure undergo a medical examination by a registered physician at the cost of the government. A head of department may however in his discretion and for reasons acceptable to him, grant exemption from such a medical examination.

6.1.8 The submission, channelling and processing of claims

The submission, channelling and processing of claims are done in accordance with the procedure set out in the Annexure to this Part.

6.2 Officials who are on official visits abroad

6.2.1 Departments must satisfy themselves that the medical services towards which the State makes a contribution, were necessary and could not have been obtained prior to or after the official's visit.

6.2.2 In cases where the medical treatment of officials are necessary during visits abroad, the contribution to be made by the State can be determined in consultation with the medical scheme of which the official is a member.

6.2.3 In the case where a person is not a member of a medical scheme in the Republic, the cost of a similar service must be determined in consultation with an acknowledged medical scheme.

6.2.4 The measures contained in sub-paragraphs 6.1.5 to 6.1.7 apply mutatis mutandis.

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7. ADMINISTRATIVE AND FINANCING ARRANGEMENTS

7.1 The administration of the provision for medical assistance with regard to officials stationed abroad as referred to in paragraph 5.1 as well as the underlying general measures with regard to such officials set out in paragraph 6.1, are subject to such guidelines as laid down by the Department of Foreign Affairs in consultation with other government institutions who have personnel abroad and which are binding on all officials stationed abroad.

7.2 All financial procedures with regard to the acquiring, utilizing and recovering of government funds must be complied with. No erasures or amendments to bills or statements which are submitted may be effected. No payment to an official abroad may be made unless the Head of a Mission or Foreign office or his plenipotentiary has authorised such payment.

7.3. The Department of Foreign Affairs -

7.3.1 annually provides on its vote for the expenditure resulting from the granting of benefits in paragraph 5.1.1 above with regard to all officials stationed abroad;

7.3.2 must satisfy itself that the basis according to which foreign claims are assessed by medical schemes, is reasonable and accountable and that the benefits on foreign claims thus calculated and paid over to the Department, are in accordance with the mentioned basis; and

7.3.3 is, where applicable, responsible for establishing the basis in accordance whereof foreign currencies are to be converted to Rand or vice versa.

7.4 Individual Departments

Each individual department must on its own provide for the following expenses :

7.4.1 Expenses resulting from the medical treatment of officials on official visits abroad.

7.4.2 Subsistence and travelling expenses referred to in paragraph 5.1.2, read in conjunction with paragraph 6.1.4.

7.4.3 The granting of relief-aid as referred to in paragraph 6.1.5.

7.4.4 Expenses resulting from medical examinations as referred to in paragraph 6.1.7.

8. PROCEDURES FOR THE SUBMISSION, CHANNELLING AND PROCESSING OF CLAIMS ABROAD

A. SUBMISSION OF CLAIMS

1. The original bill, under cover of a claim form of the medical scheme of which the official is a member, is submitted to the mission or foreign office who makes sure that -
 - (a) the claim form is filled in correctly;
 - (b) the bill is properly specified and/or that the type of service is understandable; and
 - (c) proof of payment is provided.
2. The mission or foreign office pays the sum-total of the claim, or such other amount as determined in accordance with guidelines laid down and decided on by the Department of Foreign Affairs in consultation with other government institutions who have personnel abroad, to the official in local currency and thereafter channels the claim to the Department of Foreign Affairs.
3. The Department of Foreign Affairs checks and verifies the claim and sends it to the medical scheme of which the official is a member.

B. ASSESSMENT OF CLAIMS

1. The medical scheme determines in terms of its Rules -
 - (a) the benefits payable in respect of a specific claim and pays it to the Department of Foreign Affairs; and
 - (b) the member's liability in respect of a service not acknowledged by the scheme for benefit purposes.
2. Having regard to the member's liability as stipulated in 1(b) the Department of Foreign Affairs determines the amount to be paid from State funds.

C. RECOVERING OF AMOUNTS OWED BY THE OFFICIAL

The mission or foreign office will recover the amount payable by the official from him or her in local currency.

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