**Tuesday, 16 August 2016**

**Tribunal rules in favour of an exception hearing regarding Afrocentric Health complaint**

The Competition Tribunal has turned down an application by Afrocentric to add 15 more medical schemes to the complaint against rival Discovery Health and its biggest client, Discovery Health Medical Scheme (DHMS) for engaging collective bargaining.

The Tribunal has, however, ordered that a hearing into the exception application involving Afrocentric and Discovery Health and DHMS would be held.

Afrocentric Health, which owns Medscheme, is accusing Discovery Health of breaching the Competition Act by engaging in collective bargaining on behalf of schemes it administers when negotiating tariffs with private hospitals.

Afrocentric Health originally lodged a complaint with the Competition Commission in 2014, but the commission decided not to refer the matter.

Afrocentric Health’s initial complaint to the Competition Tribunal was against Discovery Health and DHMS, arguing that they had engaged in “prohibited horizontal practice and/or alternatively collective bargaining”, but in April this year it asked for 15 medical schemes to be joined to its application.

The Tribunal in its ruling said it had taken the decision to hold an exception application, where both parties will get a chance to say if the case brought by Afrocentric Health has merit.

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