

**MEDICAL MALPRACTICE POLICY HOLDERS**

MR. Z CASSIM / N BUTHELEZI / EA0346 | Our Ref  
| Your Ref

**AND**

**THIRD PARTY LIABILITY POLICY HOLDERS**

31 July 2024

Dear Sir / Madam,

**CONSTANTIA INSURANCE COMPANY LIMITED (IN LIQUIDATION)**  
**MASTER'S REFERENCE NO: G975/2022**

1. This communication is directed to all policyholders on whose behalf Constantia Insurance Company Limited (in liquidation) ("CICL") is, currently, responsible for any legal expenses (including, but not limited to, expenses relating to litigation, court processes, inquests, HPCSA Conduct Inquiries and/or third-party liability matters, in terms of an insurance policy, underwritten by CICL, relating to an insured event(s). These policyholders include medical professional indemnity insurance policyholders and/or third-party liability policyholders.
2. This communication is applicable to you whether a claim has already been made against you for which you can seek indemnity from CICL, or whether a claim has not yet formally been instituted against you. This includes any notification of circumstances given and/or demands received by you. This communication, consequently, relates to any legal expenses payable by CICL under an insurance policy.
3. The issue of the process of proving your claim against CICL (which would include a claim for legal expenses incurred by you) will be dealt with shortly in separate communication(s) and/or a court process (of which you will receive sufficient notice).
4. You are hereby notified that CICL will no longer be responsible for the day-to-day payment of legal expenses as part of coverage in terms of insurance policies. This does not mean that you do not have a claim for such expenses. It merely means that your claim for such legal expenses will be dealt with in accordance with the relevant provisions of the Company and Insolvency Laws of the Republic (which includes the provisions of the Companies Act, 61 of 1973 and the Insolvency Act, 24 of 1936).
5. This decision should be considered in proper context. All concurrent creditors of CICL must share equally, and *pro rata*, in the proceeds of the liquidation process. The liquidators have a duty to the general body of creditors. The continued payments, by the Liquidators of policyholders' (engaged in insured legal processes) legal expenses, is not in the interests of the general body of creditors and is untenable.

**(in Liquidation)**

6. If you are a policyholder whose legal expenses are, currently, being paid by CICL, you are herewith notified that all payments for legal expenses will be terminated as at 31 October 2024. For the avoidance of doubt, CICL will not be paying any further legal costs in terms of an indemnity policy after 31 October 2024.
7. We will not presume to be prescriptive of what the further conduct of your legal process should be, apart from noting that you can engage the services of the legal practitioners (or service providers) currently assisting you (and until now paid by CICL) or you can engage the services of new legal practitioners and/or service providers. We do however remain interested and affected parties, and to that end may require information and disclosure in respect of the continued process(es).
8. We, again, reiterate that, should your insurance policy cover such legal expenses, you have a claim therefor against the estate of CICL, for which you should follow the claims process as detailed on the Constantia website and as previously advised and/or communicated to you. Such process, unfortunately takes time and is unlikely to result in payment of your full/entire claim.
9. We undertake to, within the confines of the Company and Insolvency Laws, provide you with reasonable assistance.
10. We trust you find the above in order.

Yours faithfully

**JOINT LIQUIDATORS**

**CONSTANTIA INSURANCE COMPANY LIMITED (in liquidation)**

[Litigation3@cassimlaw.co.za](mailto:Litigation3@cassimlaw.co.za) / [margareth@cassimlaw.co.za](mailto:margareth@cassimlaw.co.za)