

## DENTASA 2004 Annual General Meeting

### MINUTES

#### 1. WELCOME

The meeting was opened by the Association President and Chairman of the meeting, Mr. Axel Grabowski, who then extended a warm welcome to all present.

#### 2. APOLOGIES

Apologies were received from: Nick Snyman, Bruce Jackson, Ray Marx, Tas Dental Lab, Aldo Bosman, H. Van Graan, Chris Schutte, Rainer Pittroff, Aziz Wadvalla, Gunter Leigh, Lance Cuffley, Trevor Saunders, Debbie Anne Lubbe and Paul Dinkelman.

#### 3. OBITUARIES

A minutes silence was observed by the meeting in memory of the colleagues which had passed away in the previous year.

#### 4. ADOPTION OF AGENDA

The Agenda was perused by the meeting and accepted unanimously. Proposed by A. Du Plessis and Seconded by E. Cumming.

#### 5. MINUTES OF PREVIOUS MEETING

The Minutes of the previous meeting were perused and an amendment to page 6 was noted and made. The Minutes of the previous meeting were then accepted by the meeting as proposed by M. Roets and seconded by J. Du Plooy.

#### 6. MATTERS ARISING

It was recorded that there were no matters arising from the previous minutes this was accepted by A. Du Plessis and seconded by D. Owen,

#### 7. PRESIDENTS ADDRESS - Please see Annexure "A"

The President of the Association, Mr. Axel Grabowski delivered the address.

#### 8. TRANSFORMATION - Please see Annexure "B"

Executive Committee member, Mr. Fanus Vermaak, delivered an address on transformation within the profession of Dental Technology.

#### 9. MEMBERSHIP - Please see Annexure "C"

In light of the fact that there were a considerable amount of members names to be read out, the Chairman then requested that the meeting peruse the alphabetical list of members which was on view in the DENTASA office. This was agreed to by the meeting. Proposed by F. Vermaak and Seconded by A. Du Plessis.

#### 10. FINANCIAL MATTERS

##### 10.1 FINANCIAL STATEMENTS - Please see Annexure "D"

Copies of the Statements for the financial period March 2003 to February 2004 as prepared by Jan Erasmus Auditors were circulated for perusal by the meeting.

The Chairman then read the financial report prepared by Jan Erasmus Auditors which accompanied the Financial Statements.

Mr. P. Kapp then enquired from the floor as to why there was no capital gains tax reflected on the profit made on the sale of shares as reflected on the financial statements. This enquiry is to be referred to the Auditors.

The financial overview prepared by the Association Treasurer, Mr. Rainer Pittroff was then read to the meeting by the Chairman.

The Executive Committee then extended their thanks to the Association Treasurer, Mr. Rainer Pittroff for his untiring efforts in the past year.

The financial statements were then accepted. Proposed by D. Owen and seconded by A. Du Plessis.

##### 10.2 PENSION FUND REPORT - Please see Annexure "E"

Mr. Johan Badenhorst from ABSA Actuaries was introduced to the meeting by the Chairman. The Pension Fund report was then delivered by Mr. Johan Badenhorst.

The floor was then opened for questions;

Mr. A. Ferreira confirmed that the minimum wage for a qualified dental technician is R 6000 per month according to the Basic conditions of employment.

Mr. A du Plessis enquired about the Government Policy regarding pension payouts. Mr. Badenhorst then confirmed that they would be paid out in cash in future which will be in accordance with the 2nd amendment of the Act in 2001.

Mr. Kapp confirmed that the payouts were no longer marginal.

Mr. E Habeströh enquired as to whether it would be possible to amend the criteria to accommodate lab assistants in future. Mr. Badenhorst then confirmed that ABSA were

reviewing the regulations in order to incorporate by Laboratory Owners as well as Assistants.

Mr. A. Retief enquired as to whether the amount of employees reflected in the report was in fact a true reflection. Mr. Dave Owen then responded that this figure was not a true reflection and that this was to be reviewed.

11. BRANCH REPORTS - Please see Annexures "F1 - F5"

The branch report from each Province was tabled by the Branch Chairmen.

Eastern Cape - Mr. Roy Laurie  
Western Cape - Mr. Ken Barrett  
Free State - Mr. Teunis Bakker  
Kwa Zulu Natal - Mr. Aubrey Du Plessis  
Gauteng - Mr. André Ferreira

TEA - BREAK

12. DEMOGRAPHIC LOCATION OF BRANCHES

The Chairman addressed floor and requested feedback from the meeting regarding the fact that there are nine Provinces and only five Branches.

Concerns were raised about the logistics of the branches and where they are situated. Many members were concerned that colleagues cannot afford to travel to other provinces for meetings. Further to this it was felt that it is no longer safe to travel long distances from outlying areas to get to and return from, meetings at night.

Grant Peake from the Western Cape Branch reported that certain members in the Western Cape feel that they are losing their autonomy and would like to see the decentralization of funds as well as the distribution thereof to other provinces in order that meetings be arranged locally.

The floor was then open for discussion and it was felt that membership fees be increased from an annual fee to a monthly fee in order that a professional be appointed to run DENTASA .

After a discussion, it was decided that the Working Committee Meeting attend to the matter of the Demographic location of branches and report back to members with their findings.

13. PREFERRED PROVIDERS - Please see Annexure "G"

Mr. André Ferreira addressed the meeting regarding Matrix Dental Laboratory. It was reported that DENTASA has contacted and liaised with, the Assistant Registrar of the Council of Medical Schemes, Mr. Kolver. The correspondence sent from DENTASA contained proof and clearly illustrated that the modus operandi of Matrix Dental Laboratory is illegal.

Mr. Kolver has advised that whilst this matter will receive the attention it warrants, the Council of Medical Schemes is inundated with enquiries. This specific matter is receiving the attention of their legal department.

Whilst Matrix Dental Laboratory has been de-registered at the S.A. Dental Technicians Council (SADTC), their phone is still being answered as such and their name still appears on their delivery sheets.

Mr. Gus Liebenberg has been de-registered at Council level and he has subsequently registered Matrix Dental Management Services. The SADTC has no jurisdiction over Medical Aid Funds and can therefore, not take any action.

It is interesting to note that should the patient elect to have his work done at a laboratory other than those on the preferred provider list, a 20% surcharge would be charged.

Further to this, The holding company has a 22% share in Matrix.

The Chairman informed the meeting that the Dental Technicians Act of 1979 as amended clearly states that only Registered Dental Technicians or Technologists may receive work. Mr. Ferreira assured the meeting that DENTASA is doing everything in its power to attend to the matter and assured that members that continued input and involvement of the profession in this matter will be gratefully appreciated. He also assured the meeting that they will be kept informed of all any developments.

Mr. R. Burk noted that this arrangement removed the patients freedom of choice which was unconstitutional. He appealed to the meeting to pay their fees and weigh up the loss which could be incurred if this was allowed to go ahead versus the cost of annual membership of the Association. He also felt that it was the SADTC which should be tackled regarding this matter, and not DENTASA.

Mr. S. Scop requested that the Traders cut off the supply of materials to Matrix.

14. LEGAL OPINIONS - Please see Annexures "H1 - H6"

- 14.1 INTER LAB DISCOUNTING
- 14.2 FACTORING OF BOOK DEBT
- 14.3 AMENDMENT OF ACT
- 14.4 ADMIN FEE
- 14.5 AMENDMENT OF CONSTITUTION
- 14.6 BOARD OF HEALTH FUNDERS - PRACTICE CODE NUMBER

The conclusions of the aforementioned opinions were read to the meeting by the Chairman, Mr. Axel Grabowski.

15. S.A. DENTAL TECHNICIANS COUNCIL MATTERS

Mr. André Ferreira advised the meeting that the Registrar of the S.A. Dental Technicians Council, Advocate. S.K.Lekitima is an Ex - Officio Member.

It was through the input of the Profession and the tireless efforts of the Tariff Committee that contributed to attaining a 15% increase. Mr. Ferreira appealed to the meeting to become an active part of the process and supply input where and when possible. Submissions are to be substantiated and made in writing

The meeting was advised to c.c. all correspondence submitted to the SADTC to the President and Vice-

President thereby ensuring that the matter at hand receive appropriate attention.

16. STABILIZATION FUND REPORT - Please see Annexure "I"  
Mr. Aubrey Du Plessis delivered the attached report.

17. STRUCTURE OF TARIFFS - Please see Annexure "J"  
The meeting was addressed by Mr, Dave Owen of the Tariff Committee

18. CONDITIONS OF SERVICE - Please see Annexure "K"

19. GUARANTEES

Mr. Bakker tabled a proposal from the Free State branch that work be guaranteed. The meeting unanimously agreed that only labour and/or workmanship, not materials used can be guaranteed.

20. WORD OF THANKS

The Chairman extended a warm word of Thanks to the Traders and the Attendees as well as the Executive Committee, whose tireless efforts ensured a successful meeting.

21. CLOSURE

The Meeting was adjourned.

Minuted by Gabrielle O'Reilly

SECRETARY

ANNEXURES:

- |    |                   |   |                      |                       |
|----|-------------------|---|----------------------|-----------------------|
| 1. | Annexure A        | - | Presidential Address | - Mr. Axel Grabowski  |
| 2. | Annexure B        | - | Transformation       | - Mr. Fanus Vermaak   |
| 3. | Annexure C        | - | Membership list      | - DENTASA             |
| 4. | Annexure D        | - | Financial Statements | - Jan Erasmus         |
|    | Auditors          | - | Financial Report     | - Mr. Rainer Pittroff |
| 5. | Annexure E        | - | Pension Fund Report  | - ABSA                |
|    | Actuaries         |   |                      |                       |
| 6. | Annexures F1 - F5 | - | Branch Reports       | - Branch Chairmen     |
| 7. | Annexure G        | - | Preferred providers  | - Mr. André Ferreira  |
| 8. | Annexure H1 - H6  | - | Legal Opinions       | -                     |
|    | Adv.Reneè De Kock |   |                      |                       |

9.	Annexure I	-	Stabilization Fund Report	- Mr. Aubrey Du Plessis
10.	Annexure J	-	Structure of Tariffs	- Mr. Dave Owen
11.	Annexure K	-	Conditions of Service	- Mr. Dave Owen
12.	Annexure L	-	Attendance register	-

DENTASA

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#### PRESIDENTIAL ADDRESS - AGM 2004

Ladies and Gentlemen, Dental Traders and Members of the Executive

When I accepted the nomination as President of Dentasa I was under no illusion that this was going to be a difficult first year. With the membership and interest of members on the decline we knew that we inherited an extremely sick patient that was fighting for it's life in ICU. My executive and I accepted this as our first challenge to get this Association back on sound footing.

The first part of my report however, is disturbing to say the least. It is unfortunate that the biggest stumbling block is the inexplicable feud that seems to exist between the Register of the SADTC and this association. We have had numerous meetings and made every effort to try and resolve this feud. We walk away from these meetings with the assurance that all is well and that we strive towards a common goal, i.e. the betterment of dental technology. Ironically, at the very first opportunity that presents itself this association gets discredited. I simply cannot understand this "Vendetta" against Dentasa and it's Executive members.

It is a great shame that people and institutions that are supposed to word hand in hand are doing the exact opposite. The manner in which the Durban meeting of two weeks ago was informed that this Association is illegal because it represents both employer and employee is unacceptable. I need to remind this meeting that this association is legally registered with the Department of Labour.

When the decision was taken to change SADLA and the constitution thereof to enable the new association to be fully representative of this profession a practicing advocate of the supreme court of S.A. was appointed to achieve unity. Advocate Renee de Kock amended all the relevant sections of the constitution and submitted same to the Department of Labour for ratification and registration. After a long delay this association was informed in writing that both changes to the constitution and name were 100% in order and registered. Upon the insistence of the SADTC that it is illegal according to the labour law to represent all parties under one umbrella, we immediately contacted the assistant registrar, Mr. Johan Craus for verification. The following information was received and I quote:

1. "The Department of Labour has erroneously approved the amendment to this Associations constitution"
2. "It is contrary to the labour law for this association to represent both employers and employees in one organization"

Ladies and Gentlemen, as you can see DENTASA cannot be held responsible for the comedy of errors that occurred. We are obviously rectifying this a matter of urgency. All that has be done is de-register at the Department of Labour and register a Section 21 company. This is in the process of being done and then we, like SADA, will be perfectly within our rights to represent all technicians registered at the SADTC. This includes students and not as you were incorrectly informed in Durban.

With continuous setbacks like this it would be easy to throw in the towel but unfortunately technicians are a resilient lot that stand up to any challenge thrown at them even after the third remake. This however makes us more determined to succeed in what we set out to do one year ago.

Fortunately the positives far outweigh the negatives. Our achievements of which the most controversial but eagerly received was no doubt the 15% increase and the 90 day clause that was changed to 30 days. The Executive also thought it wise to adopt a vision of what we want to be and mission of how to achieve this. We attended a workshop under the guidance of a very able Miss. Gail Andrews and after very lengthy discussions with a great number of role players within the profession adopted a vision and mission statement. One of the aims of DENTASA is to get more involved with problems that members may encounter. Our first test case was to successfully assist a laboratory owner in the Durban area to register her laboratory against the unwillingness of the Registrar. We have two more cases pending which will be discussed with the Registrar at a meeting to be held on Monday, 5th July 2004.

If you look at the Agenda before you, you will realize that we have had a very busy year. With all the changes that have taken place regarding the respective duties of the SADTC and that of the association and the ever increasing demands set, the executive decided that I visit Cape Town, PE and Durban with the hope that I could shed some light on the importance of a strong membership base. All these meetings were extremely well supported and successful. My thanks to the Branch Chairmen and Dental Traders for their valuable support. As I explained to the delegates of said meetings the ideal would be a membership base of 50% plus 1.

Unfortunately, we have not reached this goal yet but are working on it. It is this association that must determine the way forward of our profession and council must merely implement our demands. It must never be the other way around. Council's function is to protect the public and regulate this profession and not to prescribe to it. Time has come that the SADTC and this association clearly define their respective roles, carry them out to the best of their abilities without interference of one another. This will be attempted on Monday.

As there are so many new members present here this morning I would like to introduce the Executive to you and explain shortly how the Executive functions.

The members are:

- |     |                   |   |                                |
|-----|-------------------|---|--------------------------------|
| 1.  | Teunis Bakker     | - | Free State branch chairman     |
| 2.  | Dries Boshoff     | - | Student portfolio              |
| 3.  | Aubrey du Plessis | - | Kwa-Zulu Natal Branch Chairman |
| 4.  | Andrè Ferreira    | - | Gauteng Branch Chairman        |
| 5.  | Roy Laurie        | - | Vice President                 |
| 6.  | Ken Barrett       | - | Western Cape Branch Chairman   |
| 7.  | Dave Owen         | - | Council Matters                |
| 8.  | Fanus Vermaak     | - | Marketing portfolio            |
| 9.  | Rainer Pittroff   | - | Treasurer                      |
| 10. | Mariaan Roets     | - | Events Portfolio               |
| 11. | Aziz Wadvalla     | - | Gauteng Branch Chairman        |
| 12. | Axel Grabowski    | - | Association President          |

Meetings are held every Tuesday of the month. It is unfortunately not viable to have the whole Executive present and therefore a working committee was established. This working committee consists of the following members:

Dries Boshoff, Mariaan Roets, Andrè Ferreira, Rainer Pittroff, Dave Owen, Fanus Vermaak, Gabrielle O'Reilly (Secretary) and yours truly.

Minutes of these meetings are then forwarded to the rest of the Executive for their information and input. It is my wish that the Branch Chairman who are all executive members have at least 3 branch meetings per year and pass this information on to our members.

In closing I would like to thank the Executive and especially the working committee for all their hard work and dedication. A special word of thanks must to Mariaan Roets for the tremendous amount of work done together with Gabrielle in organizing this AGM. Mariaan

and Gabrielle thank you. It is important to note that the entire Executive does this on a voluntary basis without any remuneration.

Last but certainly not least, a great big thank you to all the Dental Traders for their generous support and sponsorship. They are an integral part of our profession and without their financial assistance and enthusiasm this AGM would not have been possible. I ask you to reciprocate and support them in turn.

Thank you and may commonsense prevail.

Axel Grabowski

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TRANSFORMATION - FANUS VERMAAK  
Dear Colleagues, Exhibitors and guests,

On November 6th, 2001 the Minister of Health had a meeting with the Chairpersons of all Statutory Councils and consequent to this meeting, the Minister appointed a Task Team to look into the matter of the Role of Councils and their contribution to Transformation of the health sector of South Africa.

This task team was to then make recommendations to the Minister

Now:

The members of this task team included:

- Expertise of Government
- Council Members
- Council Officials
- Academia

According to the recommendations of this Task Team the role of Statutory Councils has changed.

These Councils are not there to serve the Health Professions anymore, but to serve the interest of the public.

The key purpose of these new Councils is the Protection and promotion of Public Interest, including ensuring the delivery of quality care.

Although these Councils act under the policy framework of the Minister they are not to be seen as mouthpieces of the Government, but are expected to act within the policy mandate they are given.

It is this clear that if a Council does not operate within this new framework, the Minister has the authority to dissolve ineffective Councils.

The Minister has however indicated that this is not preferred, because of the valuable expertise that would be lost.

One of the most important aspects of this Transformation process is that;

- New Councils should reflect the demographic composition of the country and strengthen empowerment of those historically disadvantaged.

The reasoning behind this is that councils should be responsible to consider the needs of the Country and all its people in matters regarding the Profession.

Annual fees payable to the Council does not mean the Council is accountable to those paying the fees, but these fees should rather be seen as a license fee to practice the Profession. Previously this fee was seen as a membership fee by technicians for Council to regulate our Profession. The report also expresses the need for efficient communication and collaboration between all stakeholders.

This transformation process created a need for an Association serving the interest of our profession. At the moment Dentasa is the only Association fulfilling this void.

Presently the Dental Technicians Act 19 of 1979 constitutes that the Council consists of:

- The director of Oral Health
- 5 persons appointed by the Minister, of whom
- is dentist (University)
- 1 a technician (Technikon)
- and 3 members of the public
- only
- 2 dental technician contractors
- 2 dental technician employees
- and a dentist elected by Dentists.

One of the problems seen by the Minister is:

Because the majority of the current Council consists of health professionals - a conflict of interest in nominated members could emerge as they could rather choose to be accountable to their profession rather than protecting the interest of the public.

Because of this situation a suggestion was laid on the table in which two members of the public would replace 1 Dental technician employer and 1 Dental technician employee, thus meaning that only 2 technicians would represent us on the council.

If this suggestion is accepted, it would definitely have a negative long term effect for both the profession and the public as it would result in the loss of valuable expertise.

One of the recommendations in the report is that in order for Council to fulfil its responsibility in carrying the need for diversity as well as expertise.

New Councils "CANNOT" be too small.

In line with this recommendation DENTASA will rather support an increase in Public Representation thus increasing the diversity and keeping the expertise of the new Council.

The Dental Technicians Council will only act on issues if they are tabled by a representative body. SADA is seen as very well represented body and there has been correspondence between them and our own Council in which SADA suggests amendments to our Act, which, if implemented will have a negative impact on our profession.

The only way for DENTASA to be representative of all technicians is to have a majority membership.

I therefore urge each and every Technician to become a members of this Association for it is only through a majority mandate that we will have a say in our own future.

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#### FINANCIAL REPORT FROM JAN ERASMUS AUDITORS

The Members  
DENTASA

AUDIT - 29 February 2004

For the year ending 29 February 2004 we want to point out the financial highlights:

1. Subscription fees receivable increased by a mere R 8000.00 to R 90 160. Of this amount R 59 338 was written off as bad debts. A total amount of R76 550 for subscription fees for the previous year was also written off.

2. In order to meet our financial obligation, we had to sell a further + - R 40 000.00 worth of shares at a profit of R 47 024. Taking this into account, a loss of R 2 599 was still made, which decreased our accumulated reserves to just under R 400 000.00.

3. In the past, commission receivable on insurance and medical aid was not accounted for, in order to keep that as a reserve. This amount has not been accounted for in this year, which wiped out that reserve completely.

As you can see the financial results have not been too positive the past 2 years, mainly because members did not pay their subscription fees.

Yours faithfully,

JAN ERASMUS AUDITORS.

NOTE FROM THE TREASURER : MR. R.F.PITTROFF

1. We have been paying IN for 8 years from our Reserves.
2. Membership fees have not been increased for 5 years.
3. No point in punishing the converted.
4. Membership fees = the monetary equivalent of half a crown.
5. We've got to get 75% of all possibles.
6. Surely an Association has got to be around
7. If DENTASA does NOT do the work, who else? - PAY UP PLEASE

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#### **Stabilization Fund for Dental Technicians**

Re: - The Stabilization Fund for the Dental Technicians' Medical Aid Scheme

Benjamin Disraeli [1804-1881] said:-

"As a general rule, the most successful in life is the man who has the best information"

I am sure this Annual General Meeting would like to know more about the Stabilization Fund, as the dental technicians who were obliged by the South African Dental Technicians Council [SADTC] since 1995, to contribute to both the medical aid scheme and this fund, appear to have never been kept abreast of developments.

The original intention to create a fund to buffer the profession against ever increasing medical aid subscriptions, may have been well-intentioned but, as we all know from the national press, was doomed to fail as so-called medical inflation, together with the onerous requirements of the 1998 Medical Schemes Act applicable to all schemes re their solvency levels, has resulted in huge increases in subscriptions.

The decision by the then Trustees appointed by the SADTC to invest the income in thirty year endowment policies worked for only the very short period during which membership of one specific medical aid scheme was compulsory. The moment the SADTC resolved [in 1999] that technicians, could join the scheme of their choice, the monthly income was so depleted as to make the servicing of these insurance policies impossible - and the Fund was doomed!

The SADTC instituted various investigations at considerable expense and in an effort to clear up various problems, appointed a new Board of Trustees, who were assisted by Mr. Johan Badenhorst of ABSA Consultants and Actuaries [who so successfully look after the Technicians Pension Fund] at no cost, to try and extract the Trust from the serious difficulties arising from the inability to meet the premiums payable to The Old Mutual and SANLAM. Expert advice indicated that an investment in a thirty-year endowment insurance policy was not viable for a medical scheme linked to a stabilization fund but the Trustees were unable to extract the Trust from the situation that had been created by its predecessors.

I am delighted to inform you that the Trustees, after many legal wrangles with various parties, have now **secured** the **insurance policies** for the benefit of the technicians'

profession, and are in the process of raising the cash value of the policies. The funds will be, as explained below, temporarily, invested in an interest bearing account at ABSA.

Due to the demutualization of both insurance companies, shares were issued to their policy holders and these are now also being sold for the benefit of the technicians, and temporarily invested.

Once all the funds have been received, the South African Dental Technicians Council, which has been playing the role of banker to this ill-fated venture, will be repaid all the money that it has paid out to Accountants, Advocates and Lawyers as well as a well-disposed person who made some payments to very ill technicians, for whom the doomed stabilization fund was initially created.

After all debts have been liquidated, a considerable amount of cash [which I estimate will be between **R0.75 million** and **R1.00 million** will remain in the Trust. The Trustees have discovered that the various administrators kept **NO** adequate records of contribution into the Stabilization Fund! The Trustees did not feel that any useful purpose would be served in ascertaining the reason for this, bearing in mind the tremendous costs associated with briefing consultants, and at their most recent meeting resolved that the most equitable way of dealing with this problem would be to **close** the Stabilization Fund after paying off all liabilities, as set out above, and to then donate the cash in the Fund into a **Benevolent Fund for Dental Technicians**, to be administered by a S21 Company such as SADLA. The Trustees were of the considered opinions that such a Benevolent Fund could not be administered by the opinion that such a Benevolent Fund could not be administered by the SADTC as the Act makes no provision for this. It must be emphasized that none of the funds were derived from the SADTC - all monies in the fund were contributed by technicians, and the SADTC will have been repaid all money owing to it.