

# ISAZISO SOKUZIKHUPHELA NGAPHANDLE

Usenokuba sethubeni lokuba ukwazi ukufaka ibango lembuyeko ukuba ngaba njengangoku okanye wawukhe WANGUMSEBENZI WAKUMGODI WEGOLIDE eMzantsi Afrika, nangalo naliphi na ixesha elingasemva komhla we-12 Matshi 1965, yaye wakhe wahlangana nothuli lwesilica okanye waba nesifo sethayisisi (silicosis) okanye isifo sephhepha (“i-TB”) OKANYE UNGUMNTU OXHOMEKEKE NGOKWENKXASO (umz., inkosikazi, umntwana okanye iqabane lokuphila) lalo mntu wayengumsebenzi wakumgodi wegolide nosele wasweleka, NCEDA USIFUNDE NGONONOPHELO ESI SAZISO NANJENGOKO KUNOKWENZEKA UKUBA SICHAPHAZELE AMALUNGALO AKHO.

## ISIVUMELWANO SENTLAWULO

Ngomhla wesi-3 Meyi 2018, iinkampani zemigodi ezintandathu - i-African Rainbow Minerals, i-Anglo American SA, i-AngloGold Ashanti, i-Gold Fields, i-Harmony, i-Sibanye-Stillwater kunye nezinye iinkampani ezisebenzisana nazo (“iinkampani zemigodi yegolide ezithatha inxaxheba”) zifikelele kwisivumelwano esingeqosheliswa sokuhlawula imali eyimbuyeko kubasebenzi abafanelekileyo bakwimigodi yegolide kwakunye nabo baxhomekeke ngokwenkxaso kwabo basebenzi bakwimigodi yegolide nasele basweleka. Esi sivumelwano sentlawulo sicetywayo siza kuhlawula amabango angeniswe kwinkampani zemigodi yegolide ezithatha inxaxheba nangeniswa ngexa yebango leqela labantu elathi laphakanyiswa ngaphambi kweNkundla Ephakamileyo ngokunxulumene.

- nomonzakalo nelahleko eyathi yafunyanwa ngabasebenzi basemigodini abaye banesifo ithayisisi (silicosis) kunye/okanye i-TB ngexa babesebenza kweminye imigodi yegolide eMzantsi Afrika, kunye
- nomonzakalo nelahleko eyathi yafunyanwa ngabo baxhomekeke ngokwenkxaso kubasebenzi basemigodini abathi basweleka ngokubangelwa zezi zifo.

Esi sivumelwano sentlawulo samkelwa yiNkundla Ephakamileyo eRhawutini ngomhla wama-26 Julayi 2019.

## NGUBANI OQUKWAYO KWISIVUMELWANO?

Ullilungu leqela labantu abachaphazelekayo, kwaye uya kuqukwa kwisivumelwano, ukuba ngaba uyazizalisekisa zonke iimfuno zawo nawaphi na amaqela amane abantu abachaphazelekayo:

<b>Iqela labantu abachaphazelekayo lesi-1:</b>	<p>Bonke abantu:</p> <ol style="list-style-type: none"> <li>1. abathe benza umsebenzi obabeka ebungozini, ukufika kumhla apho siqala khona ukusebenza isivumelwano sentlawulo. Ngokwemimiselo yesivumelwano sentlawulo, “umsebenzi obeka ebungozini” nanjengoko uchaziwe kuMthetho i-Occupational Diseases in Mines and Works Act, ka-1973 okanye nawuphi na kule misebenzi ilandelayo:             <ol style="list-style-type: none"> <li>(i) abasebenza kwimisebenzi yangaphantsi komhlaba yomgodi wegolide;</li> <li>(ii) abasebenza kwindawo yokuhlamba iimpahla nalapho kukhunjwa khona iimpahla zabasebenzi basemigodini abasebenza ngaphantsi komhlaba;</li> <li>(iii) abasebenza kwidama elinodaka lomgodi wegolide;</li> <li>(iv) abasebenza kwilebhu yovavanyo yomgodi wegolide nalapho kuhlalutlwa khona umthamo wentsimbi (ore) enegolide, nalapho kukhangelwa khona ubuninzi bothuli oluphefumlayo kwisampuli;</li> <li>(v) abasebenza kwindawo yoveliso lwesinyithi yomgodi wegolide, kuquka ukucola, ukusika, ukuhambisa nokunyibilikisa intsimbi (ore); kunye</li> <li>(vi) nabasebenza kwimisebenzi yendawo ekuhanjiswa kuyo izinto (conveyor belt) neyenziswa ukuhambisa amatyede aqhekeziweyo ukusuka kwimisebenzi yangaphantsi komhlaba komgodi wegolide ukuya ngaphezulu;</li> </ol> </li> <li>2. abathe ngomhla okanye ngaphambi komhla wokuba isivumelwano sentlawulo siqale ukusebenza, baba nesifo ithayisisi (silicosis) okanye baye bahlangana nothuli lwesilica;</li> <li>3. abenza okanye abakhe benza umsebenzi obeka ebungozini komnye okanye ngaphezulu kwimigodi edweliswe kwiSihlomo A sesi saziso emva komhla we-12 Matshi 1965; futhi</li> <li>4. ababengazange bafumane ntlawulo kumabango abo kwiintlawulo ezaziqosheliswa kwixa elingaphambili ne-Anglo American South Africa Limited kunye ne-AngloGold Ashanti Limited ngomhla we-14 Matshi 2016 kwakunye ne-Anglo American South Africa Limited ngomhla we-19 Septemba 2013, ngokwahlukeneyo.</li> </ol>
--	--

<b>Iqela labantu abachaphazelekayo lesi-2:</b>	Abo baxhomekeke ngokwenkxaso kubo nabaphi na abantu abakwiQela labantu abachaphazelekayo loku-1 apha ngasentla nasele beswelekile ngomhla esiqala ngawo ukusebenza isivumelwano sentlawulo.
<b>Iqela labantu abachaphazelekayo lesi-3:</b>	<p>Bonke abantu:</p> <ol style="list-style-type: none"> <li>1. abaye benza umsebenzi obeka ebungozini ukufika kumhla esasiqala ngawo ukusebenza isivumelwano sentlawulo;</li> <li>2. abathe ngomhla, ngaphambi okanye ngasemva komhla esiya kuqala ngawo ukusebenza isivumelwano sentlawulo babe neSifo sephhepha; kwaye</li> <li>3. abenza okanye abakhe benza umsebenzi obeka ebungozini, emva komhla we-12 Matshi 1965, komnye okanye ngaphezulu kwimigodi edweliswe kwiSihlomo A sesi saziso.</li> </ol>
<b>Iqela labantu abachaphazelekayo lesi-4:</b>	Abo baxhomekeke ngokwenkxaso kubo nabaphi na abantu abakwiQela labantu abachaphazelekayo lesi-3 apha ngasentla nasele beswelekile ngomhla esiqala ngawo ukusebenza isivumelwano sentlawulo.

## YINTONI ISIPHUMO SESIVUMELWANO SENTLAWULO?

Isivumelwano asikaqali ukusebenza nanjengoko eminye yemiqathango yaso ingekafezekiswa. Ukuba ngaba imiqathango itha yafezekiswa, iinkampani zemigodi yegolide ezithatha inxaxheba ziya kusungula ingxowa-mali, ebizwa ngokuba yiTSHIAMISO TRUST.

Ukuba ngaba isivumelwano sentlawulo siye saqala ukusebenza:

- iinkampani zemigodi yegolide ezithatha inxaxheba ziya kuhlawula imirhumo ekuvunyelwene ngayo kwiTshiamiso Trust izise ke inkqubo yokuhlawula imali ezimbuyeko ibe nokuqalisa.
- Onke amalungu eqela labantu abachaphazelekayo **angafaka ibango kwiTshiamiso Trust** lokhufumana imbuyekezo eyimali, ngaphandle kwalawo malungu eqela labantu abachaphazelekayo akhethe ukuba azikhuphele ngaphandle kwesi sivumelwano sentlawulo.
- Iinkukacha zokuba ungafakisa njani na ibango kwiTshiamiso Trust ziya kupapashwa kumajelo eendaba nakwivebhusayithi ethi [www.silicosissettlement.co.za](http://www.silicosissettlement.co.za).
- ITshiamiso Trust yiyo eya kuhlawula iimali ezimbuyeko **kubafaki-mabango abafanelekileyo**. Umfaki-bango ofanelekileyo ngumntu oillungu lawo nawaphi na amaqela abantu abachaphazelekayo kwaye ozifezekisayo iimfuno zeTshiamiso Trust zokufumana imbuyekezo eyimali.
- Amalungu eqela labantu abachaphazelekayo angangenisa ifomu egcwalisiweyo yokufaka ibango kwiTshiamiso Trust kwange kusengadingeka ukuba enziwe uxilongo lwezempilo ukufumanisa ukuba kwiba ngenene bangabafaki-mabango abafanelekileyo.

Sakuba sele siqalile ukusebenza isivumelwano sentlawulo, abafaki-mabango abafanelekileyo bayakuba selungelweni lokufumana intlawulo ehlawulwa kanye ephakathi kwe-R10 000 nama-R250 000, ngokuxhomekele kubume kwanobuzaza besifo. Kwilimeko ezithile ezikhethekileyo, esi sixa semali singonyuswa ukuya kutsho kuma-R500 000.

Imimiselo epheleleyo yesivumelwano sokugqibela kwakunye nesigqibo seNkundla sokwamkela isivumelwano iyafumaneka ku-[www.silicosissettlement.co.za](http://www.silicosissettlement.co.za) okanye ungayifumana kumaGqwetha eQela laBantu Abachaphazelekayo (**iinkcukacha zoqhagamshelwano zilapha ngezantsi**).

AKUDINGEKI UKUBA UHLAWULE NABANI NA UKUBA AKUNCEDESI UKUFAKA IBANGO LAKHO

## YINTONI EKUFANELE NDIYENZE UKUZE NDIHLALE NDIYINXALENYE YESIVUMELWANO?

**UKUBA NGABA ULLILUNGU LEQELA LABANTU ABACHAPHAZELEKAYO KWAYE UFUNA UKUBA YINXALENYE YESIVUMELWANO SENTLAWULO, AKUKHO SENZO KUDINGEKA UKUBA USENZE NJENGANGOKU.**

Naxa nje kungadingeki ukuba wenze nto ukuze ube yinxalenye yesivumelwano, ukuba ngaba ungathanda ukuthumela iinkcukacha zakho zoqhagamshelwano uvakalisa umdla wakho wokuba yinxalenye, ungakwenza oko ngokugcwalisa ifomu yolwazi okanye ngokubhalisa umdla wakho kule webhusayithi [www.silicosissettlement.co.za](http://www.silicosissettlement.co.za).

## UKUZIKHUPHELA NGAPHANDLE KWISIVUMELWANO

**UKUBA NGABA ULLILUNGU LEQELA LABANTU ABACHAPHAZELEKAYO, ISIVUMELWANO SIYAKUBOPHELELA NGOKUZENZEKELAYO NGAPHANDLE KOKUBA UTHATHE AMANYATHELO OKUZIKHUPHELA NGAPHANDLE.** Ukuba ngaba awufuni ukuba yinxalenye yesivumelwano, okanye ufuna iilungelo lokuzifakela ngokwakho ibango lakho enkundleni, ufanele ke ngoko uthathe amanyathelo okuzikhuphela ngaphandle kwesivumelwano.

Ukuzikhuphela ngaphandle kwesivumelwano, kufuneka **UGCWALISE UZE USAYINE NOKUBA YIFOMU A; IFOMU B; IFOMU C, OKANYE IFOMU D (NOKUBA YEYIPHI NA EFANELEKILEYO KUWE) UZE UYIHAMBISE, KUNYE NAMAXWEBHU ADINGEKAYO OKUXHASA, KUMPHICOTHI-ZINCWADI OZIMELEYO SNG Grant Thornton** ngaphambili komhla wama-24 Novemba 2019.

**Ifomu kufuneka isayinwe ngaphambi komfungisi ogunyazisiweyo.** Zonke izikhululo zamapolisa eMzantsi Afrika zinaye umfungisi ogunyazisiweyo.

**UKUZIKHUPHELA NGAPHANDLE, HAMBISA IFOMU YAKHO YOKUZIKHUPHELA NGAPHANDLE KUNYE NAMAXWEBHU AXHASAYO NGESANDLA OKANYE UTHUMELE NGEFEKSI OKANYE NGE-IMEYILE USEBENZISA ESI NKCUKACHA ZILANDELAYO: SNG Grant Thornton**

Idilesi yokuhambisa ngesandla: 20 Morris Street East, Woodmead, Johannesburg 2191  
Inombolo yefeksi: +27 11 234 0933  
Idilesi yokuthumela nge-imeyile: [silicosissettlement@sng.gt.com](mailto:silicosissettlement@sng.gt.com)

**Awungekhe ukwazi ukuzikhuphela ngaphandle ngomxbeke** kodwa ungakwazi ukutsalela umnxeba kwimombolo ezilapha ngezantsi ukuze ufumane ulwazi olubanzi ngendlela yokuzikhuphela ngaphandle.

Ilungu ngalinye leqela labantu abachaphazelekayo elifuna ukuzikhuphela ngaphandle kumele ligcwalise lize lisayine ifomu esecaleni yokuzikhuphela ngaphandle.

Ukuba ngaba ungenise ifomu yokuzikhuphela ngaphandle, uMphicothi-zincwadi Ozimeleyo usengaqhagamshelana naye ukufumana ulwazi olungaphezulu.

**IFOMU ZOKUZIKHUPHELA NGAPHANDLE ZYAFUMANEKA KU- [www.silicosissettlement.co.za](http://www.silicosissettlement.co.za) OKANYE UNGAZIFUMANA KUMAGQWETHA EQELA LABANTU ABACHAPHAZELEKAYO OKANYE AMAGQWETHA EQELA LABANTU ABACHAPHAZELEKAYO AYA KUKUTHUMELA KWINDAWO EKUFUTSHANE NALAPHO UNGAZIFUMANA KHONA IFOMU ZOKUZIKHUPHELA NGAPHANDLE (IINKCUKACHA ZOQHAGAMSHELWANO ZILAPHA NGEZANTSI).**

\* NCEDA UQINISEKISE UKUBA UGCWALISA IFOMU EFANELEKILEYO YOKUZIKHUPHELA NGAPHANDLE. UKUBA NGABA UDINGA UNCEDO NGOKUNXULUMENE NALO MBA, SEBENZISA IINKONZO ZOLWAZI EZICHAZWE APHA NGEZANTSI.

## UKUFUMANA ULWAZI ULUNGAPHEZULU MALUNGA NENKQUBO YAMABANGO, ISIVUMELWANO SENTLAWULO KUNYE NOKUZIKHUPHELA NGAPHANDLE:

- Yiya ku-[www.silicosissettlement.co.za](http://www.silicosissettlement.co.za);
- Tsalela umnxeba ongahlawulelwayo kwiZiko leMinxeba ku-0801 000 240 okanye ku-0800 110 110. IZiko leMinxeba liza kufumaneka ngaphandle kwentlawulo kubantu abatsala umnxeba bengaphakathi eMzantsi Afrika;
- Thumela u-“please call me” kule nombolo ku-072 557 8077 okanye ku-079 835 7179.

Kananjalo ungaqhagamshelana namaGqwetha eQela laBantu Abachaphazelekayo:

<p><b>Richard Spoor Incorporated Attorneys</b></p> <p>Umnxeba: +27 (0)11 482 6081; Ifeksi: +27 (0)11 482 1419 info@rsinc.co.za; P.O. Box 303 Parklands, 2121</p> <p>Idilesi yendawo: Eton Building, Sherborne Square 5 Sherborne Road Parktown, Johannesburg</p>	<p><b>Abrahams Kiewitz Incorporated</b></p> <p>Umnxeba: +27 (0)21 914 4842 Ifeksi: +27 (0)21 914 1455 classaction@ak.law.za; P.O. Box 3048, Tygervalley, 7536, Cape Town</p> <p>Idilesi yendawo: Penthouse, 6th Floor, Imperial Terraces, Carl Cronje Drive, Tyger Waterfront, Tygervalley, Cape Town</p>	<p><b>Legal Resources Centre</b></p> <p>Umnxeba: +27 (0)11 836 9831 Ifeksi: +27 (0)11 834 4273 silicosisclass@lrc.org.za P.O. Box 9495, Johannesburg, 2000</p> <p>Bram Fischer Towers, 16th Floor, 20 Albert Street, Marshalltown, Johannesburg</p>
--	---	---



<p><b>Isihlomo A: Imigodi ethatha inxaxheba</b></p> <p>SA Land Daggafontein East Daggafontein Elandsrand Deelkraal (ekwabizwa ngokuba yi-Elandskraal) Kusasaletu Western Holdings President Steyn Steyn 1,2 (ukuya e-Kades Barnea, Pampodi, Bambanani) Steyn 3,4 (FreeGold 1, naseBamabanani) Steyn 3,4 (FreeGold 1, naseBamabanani) Brand 1, 2, 3, 5 (Steyn 5 ukuya ku-8) HJ Joel / Joel Western Reefs (edibene ne-Vaal Reefs)</p> <p>Vaal Reefs (1,3,4,5,6,7) Vaal Reefs 2 Vaal Reefs 8 (Great Noligwa)</p>	<p>Free State Cons FreeGold 2 no-4 Freddeys 7 no-9 (ukuya ku-Kades Barnea cc, Pampodi, Target mine) Freegold 2, 4 (Tshepong, Phakisa) President Brand President Steyn Steyn 1,2 (ukuya e-Kades Barnea, Pampodi, Bambanani) Steyn 3,4 (FreeGold 1, naseBamabanani) Brand 1, 2, 3, 5 (Steyn 5 ukuya ku-8) HJ Joel / Joel Western Reefs (edibene ne-Vaal Reefs)</p> <p>Vaal Reefs (1,3,4,5,6,7) Vaal Reefs 2 Vaal Reefs 8 (Great Noligwa)</p>	<p>Vaal Reefs 9 (Kopanang) Vaal Reefs 10 (Tala Lekoa) Vaal Reefs 11 (Moab Khotsong) Western Deep Levels Mponeng (South Mine WDL 1) Tau Tona (East Mine WDL 3) Savuka (West Mine WDL 2) St Helena Evander (kuquka imigodi yase-Kinross, Leslie, Bracken nase-Winkelhaak) Randfontein Estates Doornkop Cooke 1, 2 no-3 (Rand Uranium) Cooke 4 (Ezulwini) Unisel Harmony mine</p>	<p>Merriespruit Hartbeesfontein Lorraine (Shafts 1,2 kanye no-3) Zandpan Virginia mine Village Main Reef Western Areas (ukuya e-South Deep) South Deep Beatrix (kuquka ne-Oryx) Oryx (ukuya ku-Beatrix) Driefontein (kuquka i-East Driefontein, West Driefontein kanye ne-Driefontein Cons) Kloof (kuquka i-Leeudoom ukusuka ngomhla woku-1) Janyuvaru 1993, e-Libanon nase-Venterspos) St Helena (Beisa section)</p>
---	--	--	---