ISAZISO ESIPHATHELENE NESICELO SESINXEPHEZELO ESIHLONGOZWAYO

Uma njengamanje noma UBUNGUMVUKUZI WEGOLIDE eNingizimu Afrika, noma ingasiphi isikhathi ngemva komhla ziyi-12 kuMashi 1965, futhi wawuvuleleke kuthuli lwe-silica noma uma ungenwe i-silicosis noma isifo sofuba ("TB") NOMA UNGUMUNTU OBETHEMBELE KUMVUKUZI (isib., unkosikazi, ingane noma umlingani okudala ezwana naye kodwa angashadile naye) futhi lowo mvukuzi esashona, SICELA UFUNDE LESI SAZISO NGOKUCOPHELELA NGOBA KUNGENZEKA SIBE NOMTHELELA EMALUNGELWENI AKHO.

Uma kukhona enye intshisekelo onayo ngokuphathelene nesinxephezelo sokukhokhelwa esihlongozwayo kumele ukuthi nawe ufunde lesi saziso.

ISICELO SESINXEPHEZELO ESIHLONGOZWAYO

Izinkampani eziyisithupha, i-African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony, Sibanye-Stillwater kanye nezinye izinkampani ezisebenzisana nazo ("izinkampani zezimayini zegolide ezibambe iqhaza") sezifinyelele esivumelwaneni sokukhokhela ukunxephezela ngaphansi kwemibandela ethile abavukuzi begolide okumele bahlomule kanye nabantu ababethembele kulabo bavukuzi begolide asebashona. Lesi sicelo sokunxeshezelwa esihlongozwayo sizokhokhela izicelo zokukhokhelwa ezifakelwe izinkampani zezimayini zegolide ezibambe iqhaza ngenxa yesicelo sokukhokhelwa esifakwe eNkantolo Ephakeme ngokuphathelene nalokhu:

- ukulimala kanye nokulahlekelwa okwenzeke kubavukuzi abangenwa yi-silicosis kanye/noma lsifo Sofuba ngesikhathi besebenza ezimayini zegolide ezithile eNingizimu Afrika, kanye
- ukulimala kanye nokulahlekelwa kwababethembele kubavukuzi abashona ngenxa yalezi zifo.

Lesi sinxephezelo sokukhokhelwa esihlongozwayo sinemigomo ethile futhi kumele sigunyazwe Inkantolo Ephakeme ngaphambi kokuthi senzeke.

Uma sigunyazwa isicelo sokunxeshezelwa futhi kuhlangabezwana nezimiso zaso, lsikhwama Semali Esisiwe (Trust) esibizwa ngokuthi i-Tshiamiso Trust sizosungulwa futhi sizoba khona iminyaka eyi-13.

Wonke amalungu amelwe ngokwesicelo sokunxeshezelwa, ngaphandle kwalawo akhethe ukungangeni esinxephezelweni, kuzofanela ukuthi **afake isicelo sokukhokhelwa ku-Tshiamiso Trust** ukuze bathole ukunxeshezelwa ngemali.

Labo abafanele ukufaka isicelo sokukhokhelwa kuzofanela athole imali azoyikhokhelwa kanye ephakathi kuka-R10 000 no-R250 000, okuncike kuhlobo kanye nokuba mandla kwesifo. Ezimweni ezithile ezikhethekile, le mali ingakhushulwa ize ifinyelele ku-R500 000. Umuntu okufanele afake isicelo sokukhokhelwa umuntu oyilungu lanoma yimaphi lawa maqembu futhi ohlangabezana nalokho okufunwa yi-Tshiamiso Trust ukuze athole ukunxeshezelwa ngemali.

Izimayini zezinkampani zegolide ezibambe iqhaza nazo kudingeka ukuthi zikhokhele abammeli babafake isicelo sokunxeshezelwa inani elithile ngokuphathelene nezindleko zezomthetho bese zikhokhela nokwenganyelwa kwe-Tshiamiso Trust.

UBANI OYILUNGU ELIMELWE NGOKUPHATHELENE NESINXEPHEZELO?

Uyilungu elimelwe ngokuphathelene nesinxephezelo, futhi ufanele ukufaka isicelo ku-Thiamiso Trust, uma uhlangabezana nakho konke okudingekayo kunoma imaphi kulawa maqoqo amelwe amane:

Iqoqo labamelwe 1:	Bonke abantu: 1. kuze kufinyelele esikhathini sokusebenza kwesivumelwano sokukhokhelwa, abebenza umsebenzi oyingozi. Ngokuphathelene nesivumelwano sokukhokhelwa, umsebenzi oyingozi uchaza "umsebenzi oyingozi" njengalokho uchazwe kuMthetho Obhekelele Izifo Ezitholakala Ezimayini kanye Nasemisebenzini, 1973 noma nanoma imuphi kule misebenzi: (i) ukusebenza emgodini emayini yegolide; (ii) ukusebenza endaweni yokuwasha izingubo lapho kuwashwa khona izingubo zabavukuza emgodini; (iii) ukusebenza kuma-slime dam emayini yegolide; (iv) ukusebenza e-assay laboratory yemayini yegolide lapho kuhlaziywa khona okuqukethwe yi-ore enegolide, nalapho isisindo sothuli oluphefumulwayo olutholakala ekwenzeni isampula lomuntu uqobo luhlonzwa khona; (v) ukusebenza ku-metallurgical plant yemayini yegolide, okuhlanganisa ukugaya, ukusika okusansimbi (milling), ukuhambisa kanye nokuncibilikisa i-ore; kanye (vi) nomsebenzi owenziwa ku-conveyor belt owenziwa ukuze kuhanjiswe idwala eliqheshulwe kumsebenzi owenziwa emgodini ukuze kuvele igolide; 2. noma ubani ngosuku noma ngaphambi kosuku lokusebenza kwesivumelwano, ongenwe yi-silicosis noma obevuleleke kuthuli lwe-silica; 3. owenza noma owenze umsebenzi oyingozi kweyodwa noma ngaphezulu ezimayini ezibalwe Kusichibiyelo A salesi saziso ngemva komhla ziyi – 12 kuMashi 1965; futhi 4. ongazange aphethe isicelo sakhe ezicelweni zokunxeshezelwa ezedlule zase-Anglo American South Africa Limited kanye ne-Anglo Gold Ashanti Limited ngomhla ziyi-14 kuMashi 2016 kanye no-Anglo American South Africa Limited mhla ziyi-19 kuSebthemba 2013, ngokushiyashiyana.
Iqoqo labamelwe 2:	Ababethembele kunoma ubani Oseqoqweni labamelwe 1 ngenhla ozobe esashona ngesikhathi kuqala ukusebenza isivumelwano sokunxeshezelwa.
Iqoqo labamelwe 3:	Bonke abantu: 1. ngesikhathi sokusebenza kwesivumelwano sokunxeshezelwa abake benza umsebenzi oyingozi; 2. noma ubani ngosuku, noma ngemva kosuku lokusebenza kwesivumelwano, ongenwe Yisifo Sofuba; kanye 3. owenza noma owenze umsebenzi oyingozi, ngemva komhla ziyi-12 kuMashi 1965, kweyodwa noma ngaphezulu ezimayini ezibalwe Kusichibiyelo A salesi saziso.
Iqoqo labamelwe 4:	Ababethembele kunoma ubani Oseqoqweni labamelwe 3 ngenhla ozobe esashona ngesikhathi kuqala ukusebenza isivumelwano sokunxeshezelwa.

USIFAKA KANJANI ISICELO SOKUKHOKHELWA YI-TSHIAMISO TRUST?

Kumele ube ofake isicelo sokukhokhelwa okufanele ukuthi anxeshezelwe yi-Tshiamiso Trust.

Uma futhi ngesikhathi kuqala ukusebenza isivumelwano sokunxeshezelwa, wena njengelungu labamelwe kuzomele **ufake ifomu eligcwaliswe ngokuphelele** ku-Tshiamiso Trust, kanye nemininingwane yakho uqobo kanye nomlando ngokuphathelene nokuqashwa noma, uma ungowayethembele kumvukuzi, umlando wokuqashwa komvukuzi wasemayini owashona. Kungenzeka futhi ukuthi uhlolwe ngokuphathelene nezempilo uma ungumsebenzi noma wawungumsebenzi wasemayini.

Uma isicelo sokunxeshezelwa sigunyazwa Inkantolo Ephakeme imininingwane yokufaka izicelo zokukhokhelwa izoshicilelwa kulezo zimayini zegolide ezibalwe Kusichibiyelo A ezizasebenza. Imininingwane izophinde ishicilelwe ezingosini zokucoshela izindaba kanye nakusizindalwazi: www.silicosissettlement.co.za.

AKUMELE UKHOKHELE NOMA UBANI UKUZE AKUSIZE UKUFAKA ISICELO SAKHO SOKUKHOKHELWA

Izimayini ezibambe iqhaza:
SA Land
Daggafontein
East Daggafontein
Elandsrand
Deelkraal (ephinde ibizwe ngokuthi yi-Elandskraal)
Kusasalethu
Western Holdings (1,2,3,4,6,7) (ARMGold)
Matjhabeng (Western Holdings amanye ama-shaft ama-4 e-Kudu, Nyala, Sable, Eland phambilini ayengama-shaft e-Freddies kanye ne-Free State Geduld)
Saaiplaas 2,3
Saaiplaas 4,5 (Masimong) (FreeGold 3)
Free State Geduld
Free State Cons
FreeGold 2 and 4
Freddies 7 kanye no-9 (ukuya ku-Kades Barnea cc, Pamodzi, Target mine)
Freegold 2, 4 (Tshepong, Phakisa)
President Brand
President Steyn
Steyn 1,2 (ukuya e-Kades Barnea, Pamodzi, Bambanani)
Steyn 3,4 (FreeGold 1, kanye naseBambanani)
Brand 1, 2, 3, 5 (Steyn 5 ukuya ku-8)
HJ Joel / Joel
Western Reefs (ehlanganiswe ne-Vaal Reefs)
Vaal Reefs (1,3,4,5,6,7)
Vaal Reefs 2
Vaal Reefs 8 (Great Noligwa)
Vaal Reefs 9 (Kopanang)
Vaal Reefs 10 (Tau 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 (kuhlanganisa izimayini zase-Kinross, Leslie, Bracken kanye nase-Winkelhaak)
Randfontein Estates
Doornkop
Cooke 1, 2 kanye no-3 (Rand Uranium)
Cooke 4 (Ezulwini)
Unisel
Harmony mine
Merriespruit
Hartebeesfontein
Loraine (Shafts 1,2 kanye no-3)
Zandpan
Virginia mine
Village Main Reef
Western Areas (ukuya e-South Deep)
South Deep
Beatrix (kuhlanganiswa ne-Oryx)
Oryx (ukuya ku-Beatrix)
Driefontein (ehlanganisa i-East Driefontein, West Driefontein kanye ne-Driefontein Cons)
Kloof (ehlanganisa i-Leeudoorn kusukela mhla lu-1 kuJanuwari 1993, e-Libanon kanye nase-Venterspos)
St Helena (Beisa section)

NGABE OBANI ABAMELE OKUMELE BANXESHEZELWE KANYE NABAMMELI BOKUMELE BANXESHEZELWE?

Inkantolo Ephakeme seyigunyaze abantu abayi-48 ukuthi **BABE NGABAMELE OKUMELE BANXESHEZELWE** futhi bazomela amaqoqo okumele banxeshezelwe ngokuphathelene nesinxephezelo. Laba bantu bahlala eNingizimu Afriika yonkana futhi ungathola imininingwane yabo yokuxhumana ngokushayela ucingo i-call centre ngemininingwane ehlinzekwe ngezansi.

ABAMMELI ABAMELE OKUMELE BANXESHEZELWE bagunyazwe Inkantolo Ephakeme: **RICHARD SPOOR INCORPORATED ATTORNEYS, ABRAHAMS KIEWITZ INCORPORATED** kanye ne- **LEGAL RESOURCES CENTRE.** Sicela ubheke ngezansi ukuze uthole imininingwane yabo yokuxhumana.

UKULALELWA KOKUGUNYAZWA KWESICELO SOKUNXESHEZELWA

Ukwethanyelwa kokulalelwa kwesicelo Sokunxeshezelwa esihlongozwayo kuzoba mhla zingama-29 ukuya mhla zingama-31 Meyi 2019 eNkantolo Ephakeme eGoli, Ekhoneni lika-Pritchard noKruis Street, ngo:10:00 ekuseni.

Inkantolo Ephakeme ikhiphe umyalelo weNkantolo ochaza ukuthi yini okumele uyenze uma ufuna ukubamba iqhaza ekulalweni kwesicelo.

Ungathola ikhophi yomyalelo weNkantolo, isivumelwano sokukhokhelwa kanye namakhophi amaphepha ezicelo afakwe eNkantolo Ephakeme avela kunoma ibaphi abammeli abamele okumele banxeshezelwe (imininingwane yokuxhumana ingezansi). Amakhophi athunyelwa ngensiza esebenza ngekhompyutha alawa madokhumenti azotholakala ku- www.silicosissettlement.co.za.

Uma ufisa ukuhlinzeka ngovo lwakho eNkantolo Ephakeme ngokuphathelene Nesicelo Sokukhokhelwa esihlongozwayo noma uma ufuna ukuphikisana Nesicelo Sokukhokhelwa esihlongozwayo, kumele:

- Ufake isicelo sokuthi uhlose ukubamba iqhaza kanye ne-affidavit ku-Richard Spoor Inc Attorneys bese ufaka lokhu eNkantolo Ephakeme kungekashayi umhla zingama-20 kuMashi 2019; futhi
- Ufake uvo lwakho olubhalwe phansi, uma lukhona, ku-Richard Spoor Inc Attorneys ngokuphathelene nezinhloso zokulalelwa kwesicelo eNkantolo, kungekashayi umhla zingama-24 ku-Ephreli 2019.

La madokhumenti ashiwo ngenhla angahanjiswa ku-Richard Spoor Inc Attorneys ngesandla, ngefeksi noma nge-imeyli (imininingwane isebhokisini elingezansi).

Inkantolo izocubungula wonke ama-affidavit kanye nezethulo ezibhalwe phansi ngaphambi kokunquma ukuthi igunyaze noma ingagunyazi izicelo zokukhokhelwa. Inkantolo izokwazisa uma ifisa ukulalela uvo lwakho olwethula ngomlomo ekulalelweni kwesicelo.

Uma ungafakanga isicelo sokubamba iqhaza ngomhla zingama-20 kuMashi 2019 noma ngaphambi kwalokho, Inkantolo izolalela lolu daba mhla zi-3 ku-Ephreli 2019.

ISIVUMELWANO SOKUKHOKHELWA SOKUGCINA

Uma inkantolo igunyaza isicelo sokunxeshezelwa, umbiko ofinggiwe uzoshicilelwa kumaphephandaba, eziteshini zemisakazo kanye nasemahhovisi ehlukene (ahlanganisa nalawo asezimayini zegolide ezishiwo Kusichibiyelo A ezisaasebenza kanye namahhovisi okucebisa athile, ama-paralegal office kanye nezinhlangano ezisemphakathini.

Imininingwane ephelele ngokuphathelene nesinqumo seNkantolokanye nesinqumo sesinxepheelo sokugcina:

- sizobakhona emahhovisi abammeli abamele okumele banxeshezelwe **(kumakheli angezansi);**
- sizofakwa kulezi zindalwazi ezilandelayo: www.silicosissettlement.co.za kanye nakuzizindalwazi zabammeli abamele okumele banxeshezelwe (bheka ngezansi); futhi
- zizothunyelelwa umuntu ngamunye owazise ukuthi uzovela ekulalelweni kwesicelo sokugunyaza.

UKUKHETHA UKUPHUMA KUHLELO LOKUZOKWENZIWA NGOKUPHATHELENE NESICELO SESINXEPHEZELO

Uma uyilungu labafakelwe isicelo sesinxephezelo futhi ungakhethi ukuphuma, isinqumo sokukhokha sokugcina sizokubophezela futhi futhi uzokwazi ukufaka isicelo sokukhokhelwa ngesinxephezelo esiyimali ku-Tshiamiso Trust. Uma ungakhethi ukuphuma angeke ukwazi ukuzifakela esakho isicelo sokukhokhelwa noma kube kwabanye abamelelwe ukuthi banxeshezelwe ngemali ngokuphathelene ne-silicosis noma lsifo Sofuba ezinkampanini zezimayini zegolide ezibambe iqhaza.

Imininingwane ngokuphathelene nokuthi ungaphuma kanjani izoshicilelwa uma futhi ngesikhathi Inkantolo Ephakeme igunyaza isicelo sokukhokhelwa.

UKUZE UTHOLE EMINYE IMININGWANE, KUHLANGANISA NOKUTHOLA IKHOPHI YESIVUMELWANO SOKUKHOKHELWA:

- Vakashela ku-www.silicosissettlement.co.za, noma izizindalwazi zabammeli abamele okufanele banxeshezelwe (bheka ngezansi)];
- Shayela ucingo lwamahhala lwase-Call Centre ku-0801 000 240. I-Call Centre izosebenza ngokungakhokhisi lutho abantu abashaya izingcingo beseNingizimu Afrika;
- Thumela u-"please call me" kule nombolo elandelayo 072 557 8077; noma
- Uthinte ABAMMELI BOKUMELE BANXESHEZELWE ku-:

Richard Spoor Incorporated Attorneys	Abrahams Kiewitz Incorporated	Legal Resources Centre
Tel. +27 (0)11 482 6081 Fax. +27 (0)11 482 1419 info@richardspoorinc.co.za P.O. Box 303 Parklands, 2121 Physical address: Eton Building, Sherborne Square 5 Sherborne Road Parktown, Johannesburg	Tel. +27 (0)21 914 4842 Fax. +27 (0)21 914 1455 classaction@ak.law.za P.O. Box 3048, Tygervalley, 7536, Cape Town	Tel. +27 (0)11 836 9831 Fax. +27 (0)11 834 4273 silicosisclass@lrc.org.za P.O. Box 9495, Johannesburg, 2000