

SATISO SESIVUMELWANO LESIPHAKANYISIWE SESINYATSELO LESITSETFWE LICEMBU LEBASEBENTI

Uma kwanyalo usisebenti noma BEWUSISEBENTI SEMAYINI YEGOLIDE eNingizimu Afrika, noma ngunini emva kwamhlathi-12 Indlovlenkhulu 1965, kantsi uke wahogela lutfulwa lwesilica noma wangenwa sifo isilicosis noma sifo sesifuba (“i-TB”)NOMA ungu MONDLIWA (sib, umfati, umntwana noma umlingani)walesisebenti semayini yegolide lesesashona, SICELA UFUNDZISE LESATISO NJENGOBA SINGATSINTSA EMALUNGELO AKHO.

Uma kukhona letinye tintfo lofuna kutati kulesivumelwano lesiphakanyisiwe ungaphindza ufundze lesatiso.

SIVUMELWANO LESIPHAKANYISIWE

Tinkampani letisifupha, i-African Rainbow Minerals, i-Anglo American SA, i-AngloGold i-Ashanti, i-Gold Fields, i-Harmony, i-Sibanye-Stillwater naletinye letibhalise kuto (“**tinkampani tetimayini tegolide letingenelele**”) tifi ke kusivumelwane lesiboshwe ngekwestsetfo kukhokhela sincepheteliso kubasebenti basemayini yegolide labafanelekile kanye nalabo bebabondliwa balabo basebenti basemayini lasebashona. Lesivumelwane lesiphakanyisiwe sitawulungisa ticelonkhokhelo kuleto tinkampani temayini yegolide letingenelele kusuka kusinyatsetfo semtsetfo lesabekwa embi kwenkantolo Lesetulu ngeku:

- limala nekushona lokwatfolwa tisebenti tasemayini ngekungenwa isilicosis neTB ngesikhatsi sekusebenta kwabo etimayini letisite tegolide eNingizimu Afrika, ne
- limala nekushonelwa lokwatfolwa ngulabo bebabondliwa betisebenti tasemayini tasemayini letashona ngaletifo.

Lesivumelwane lesiphakanyisiwe sitawuya ngetimo letisite kantsi kufanele samukelwe yiNkantolo Lesetulu ngembi kwekucala kusebenta.

Uma lesivumelwane samukelwe kantsi futsi sekuhlangabetwane nato tonkhe letinye timo, Sikhwama lesibitwa i-Tshiamiso Trust sitawusungulwa kantsi sitawuba khona iminyaka lokungenani leli-13 sisebenta.

Onkhe emalunga elicembu, ngaphandle kwalabo labakhetsa kuphuma kulesivumelwano, bona **batawufumela sicelelonkhokhelo ku Tshiamiso Trust** kukhokhela sincepheteliso semali.

Bafakiticelo labafanelekile batawufola imali letokhokhwa kanye lesemkhatsini wetinkulungwane leti R10 000 na R250 000, kuye ngesimo kanye nebumatima besifo. Kuletinye timo letingehla, lesamba singenyuswa siyofika ku R500 000. Umfakisicelo lofanelekile ngumuntfu lolilunga lanoma ngabe nguliphi licembu abe angulohambisana netidzingo teTshiamiso Trust kutfola sincepheteliso semali.

Tinkampani letingenelele tetimayini tegolide nato tilindzelele kutsi tikhokhele bammeli labamele lamacembu imali lebekive yetindleko temtsetfo kanye nekukhokhela kulawulwa kwe-Tshiamiso Trust.

NGUBANI LILUNGA LELICEMBU?

Uliilunga lelicembu, kantsi utawufumela sicelelonkhokhelo ku-Tshiamiso Trust,uma uhambisana nato tonkhe tidzingo tanoma nguwaphi lamacembu lamane:



Licembu lebasebenti leku 1:	<p>Bonkhe bantfu:</p> <ol style="list-style-type: none"> labebenta umsebeni loyngoti, kusukela ngelilanga sivumelwane sesivumelwano sicala kusebenta. Ngekwevumelwane sesivumelwano, umsebeni loyngoti usho “umsebeni loyngoti” njengoba uchazwe kuMtsetfo Wetifo Tasemsebeni Etimayini naseMsebenini, (i- Occupational Diseases in Mines and Works Act, 1973), wanga 1973 noma ngumuphi walemisebenti lelandzelako: <ol style="list-style-type: none"> umsebeni ngaphansi kwemhlaba emayini yegolide; umsebeni elondolo lapho kuwasha khona timphahla tebasebenti mgodzini bemaayini; umsebeni edamini lemaslayimi lemayini yegolide; umsebeni elabhorathi ye-assay yemayini yegolide lapho kwakheka kwelibhering legolide kucubungulwa khona, nalapho kutfolakala khona ngebunyenti lutfulwa loluhogelwako kumasempuli ebantfu; umsebeni kuplant yekwakha tinsimbi temayini yegolide, kufaka kusila, kugaya, kutfutsa nekuncibilikisa insimbi; ne msebeni kurumisebenti yelibhande lelilambisa umtswalo lowenteka kuhambisa emadwala laphukile labuya kulomsebeni lowentwa ngaphansi kwemhlaba wemayini yegolide kuya ngetulu; loyo loye wangenwa isilicosis noma lobekasebentela elutfulwini lwesilica, ngalelolanga noma ngembi kwelusuku sivumelwane sesivumelwano sicala kusebenta; lowente noma lowente umsebeni loyngoti kuyinye noma kutimayini letinyenti tibhalwe kuSengetelelo A salesatiso emva kwamhlathi 12 Indlovlenkhulu 1965; na loyo longamange alungise ticelotikhalo tabo kuletivumelwane letengcile letapheliselwa ne Anglo American South Africa Limited ne AngloGold Ashanti Limited mhlathi 14 Indlovlenkhulu 2016 ne Anglo American South Africa Limited mhlathi 19 Inyoni 2013, ngekwehlukana.
Licembu lebasebenti lesi 2:	Labo bebabondliwa banoma ngumuphi kulabantfu labasecejini lebasebenti leku 1 ngenhla lesebasonile kusuka ngelilanga sivumelwane sesivumelwano sicala kusebenta.
Licembu lebasebenti lesi 3:	<p>Bonkhe bantfu:</p> <ol style="list-style-type: none"> lekusukela ngelilanga sivumelwane sesivumelwano sicala kusebenta bebenta umsebeni loyngoti; labangenwa sifo sesifuba, i-TB ngembi noma ngenuva kwelilanga sivumelwane sesivumelwane sicala kusebenta; na labatsatsa noma labatsatse umsebeni loyngoti, emva kwamhlathi 12 Indlovlenkhulu 1965, kuyinye noma kuletinyenti timayini tegolide letibhalwe kuSengetelelo A salesatiso.
Licembu lebasebenti lesi 4:	Labo bebabondliwa banoma ngumuphi kulabantfu labasecejini lebasebenti lesi 3 ngenhla lesebasonile kusuka ngelilanga sivumelwane sesivumelwano sicala kusebenta.

USIFAKA NJANI SICELONKHOKHELO SEKUNCESHETELISWA KUTSHIAMISO TRUST?

Kufanele ube ngumfakisicelo lofanalekilekutfola sincepheteliso kuTshiamiso Trust.

Uma sivumelwane sesivumelwano sicala kusebenta, wena njengeliilanga lebasebenti kutawudzingeke **ufumlele lifomu leligcwaliswe ngalokuphelele** kuTshiamiso Trust, ngelwatho lwakho kanye nemilandvo wetemsebeni noma, uma ungakatimeli usondliwa, umlandvo wetemsebeni wesisebenti sasemayini lesishonile. Kungadzingeka kutsi uyohlolewa ngekwetemphilo uma usisebenti noma bewusisebenti sasemayini.

Uma lesivumelwane samukelwe yinkantolo Lesetulu, imininingwane yekutfumela sicelelonkhokhelo itawufulwa kuleto timayini tegolide letisasebenta letibhalwe kuSengetelelo A. Imininingwane itawufulwa kubetindzaba nakuwebsayithi: www.silicosissettlement.co.za

Timayini Letingenelele:	<ul style="list-style-type: none"> I-Freddies 7 na 9 (kuya ku Kades Barnea cc, i-Pamodzi, imayini i-Target) I-East Daggafontein I-Elandsrand I-Deelkraal (lephindza ibitwe nge-Elandskraal) I-Kusasalethu I-Western Holdings (1,2,3,4,6,7) (i-ARMGold) I-Matjhabeng (i-Western Holdings naleminyane imigodzi le- 4 i-Kudu, i-Nyala, i-Sable, i-Eland lebeyatiwa nge-Freddies ne Free State Geduld) I-Saaiplaas 2,3 (i-Masimong) (i-FreeGold 3) I-Free State Geduld I-Free State Cons I-FreeGold 2 na 4 	<ul style="list-style-type: none"> (i-Great Noliwga) I-Vaal Reefs 9 (i-Kopanang) I-Vaal Reefs 10 (i-Tau Lekoa) I-Vaal Reefs 11 (i-Moab Khotso) I-Western Deep Levels I-Mponeng (i-South Mine WDL 1) I-Tau Tona (i-East Mine WDL 3) I-Savuka (i-West Mine WDL 2) I-St Helena I-Evander (kufaka timayini i-Kinross, i-Leslie, i-Bracken ne Winkielhaak) I-Randfontein Estates I-Doomkop I-Cooke 1, 2 na 3 (i-Rand Uranium) I-Cooke 4 (Ezulwini) 	<ul style="list-style-type: none"> I-Unisel Imayini i-Harmony I-Merriespruit I-Hartebeesfontein I-Loraine (imigodzi 1,2 na 3) I-Zandpan Imayini i-Virginia I-Village Main Reef Western Areas (kufaka ku-South Deep) I-South Deep I-Beatrix (kufaka ne-Oryx) I-Oryx (kufaka ku-Beatrix) I-Driefontein (kufaka i-East Driefontein, i-West Driefontein ne-Driefontein Cons) I-Kloof (kufaka i-Leeduom kusuka mhla 1 Bhimbidwane 1993, i-Libanon ne Venterspos) I-St Helena (i-Beisa section)
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ASIKHO SIDZINGO SEKUKHOKHELA UMUNTFU EKUTSENI AKUSITE KUFAKA SICELONKHOKHELO SAKHO

NGUBOBANI LABAMELE LAMACEMBU EBASEBENTI KANYE NEBAMMELI LABABAMELE?

Inkantolo Lesetulu yamukele bantfu labangema 48 kutsi babe **NGULABAMMELELE EMACEMBU** kantsi batawummela emacembu ebasebenti kulesivumelwane. Labantfu laba bahlala eNingizimu Afrika kantsi ungatfola imininingwane yabo yetekuchumana ngekushayela sikhungo setingcingo ngaleminingwane leniketwe ngentasi.

BAMMELI LABAMMELE EMACEMBU EBASEBENTI labemukelwe yiNkantolo lesetulu bo: **RICHARD SPOOR INCORPORATED ATTORNEYS, ABRAHAMS KIEWITZ INCORPORATED** kanye ne **SIKHUNGO SETINSITA TEMTSETFO**. Buka ngentasi imininingwane yabo yetekuchumana.

SIVUMELWANE SEKWAMUKELWA KWEKUKHULUNYWA KWELICALA Kulalelwa kwelicala kubuka kwamukelwa kweSivumelwane kutawuba mhlathi 29 kuya kumhlathi 31 Inkhwekhweti 2019 eNkantolo Lesetulu eJozzi, eKhoneni kwemigwaco iPritchard neKruis, ngensimbi yeli 10:00 ekuseni.

Inkantolo Lesetulu ikhiphe sicondziso seNkantolo lesisho loko lekufanele ukwente uma ufuna kuba yincenye yalokukhulunywa kwelicala.

Ungatfola ikhophi yesicondziso seNkantolo, sivumelwane sesivumelwane kanye nemakhophi emaghepha lafakwe enkantolo lesetulu kusukela kunoma ngubaphi bammeli belicembu (imininingwane yekuchumana ngentasi). Emakhophi e-elektroniki alamadokhumeni atawuba khona ku: www.silicosissettlement.co.za.

Uma ufisa kuniketa Inkantolo Lesetulu tiphawulo takho ngesivumelwane lesiphakanyisiwe noma uma ufuna kuphikisa lesivumelwane lesiphakanyisiwe, kufanele:

- Umikise satiso senhloso yekungenelela kanye ne-avidavithi ku-Richard Spoor Inc Attorneys uwalethe enkantolo Lesetulu ngamhla 20 Indlovlenkhulu 2019; bese
- Uthumele siphikiso sakho lesibhalwe, uma sikhona, kuRichard Spoor Inc Attorneys ngetinghloso tekukhulunywa kwelicala, lekufanele naso setfulwe eNkantolo ngamhla 24 Mabasa 2019. Lamadokhumeni labalwe ngenhla angatfuyelwa ngesandla ka Richard Spoor Inc Attorneys, ngefeksi noma nge-imeyili (imininingwane ebhokisini lelingentasi).

Inkantolo itawubuka onkhe ema-avidavithi kanye netiphikiso letibhalwe ekuncumeni ekuseni iyasamukela noma ayisamukeli lesivumelwane. Inkantolo itokwatisa uma ifisa kuba inkhulumo yakho yemlomo nakukhulunywa licala.

Uma singekho satiso sekungenelela lesifakwe mhlathi noma ngembi kwamhlathi 20 Indlovlenkhulu 2019, Inkantolo itawulalela lendzaba mhlathi-3 Mabasa 2019.

SIVUMELWANE SEKUGCINA

Uma inkantolo yamukela lesivumelwane, sibutsetelo sitawefulwa emaghephandzabeni, kutitshi temsakato kanye nakumahhovisi lamanyenti (kufaka ekhatsi lawo etimayini tegolide labhalwe kuSintetelo A lasasebenta kanye nemahhovisi ekuniketa lusito, emahhovisi emtsetfo kanye netinhangano temphakatsi.

Sikhatsi lesigcwele sesincumo seNkantolo kanye nesivumelwane sekugcina sita:

- wentiwa abe khona emahhovisi (**emakheli ebammeli labamele emecembu ngentasi**);
- wafaka kulamawebisayithi lalandzelako: www.silicosissettlement.co.za nemawebisayithi ebammeli bemacembu (buka ngentasi); ne
- kutfuyelwa kumuntfu ngamunye lonikete satiso sekubakhona ekulalelweni kwelicala lekuvunywa.

KUPHUMA KUTINCHUBO TESINYATSELO SEMACEMBU EBASEBENTI

Uma ulilunga lelicembu kantsi awuphumi, sivumelwane sekugcina sitawuba sikubophelela nawe kantsi utawukhona kutfumela sicelelonkhokhelo kuTshiamiso Trust mayelana nesincepheteliso semali. Uma unganghuma neke ukhona kuchubeka nekufaka sicelelonkhokhelo sakho noma sinyatseto selicembu mayelana netindleko temali tesilicosis noma i-TB kuleto tinkapani tetimayini tegolide letingenelele.

Lolwatiso lwekutsi uphuma njani lutawufulwa uma nangalesikhatsi inkantolo lenkhulu yamukela lesivumelwane sesivumelwane.

MAYELANA NELWATISO LOLWENGETIWE, KUFAKA NENDELELA YEKUTFOLA IKHOPHI YESIVUMELWANE SESIVUMELWANO:

- Vakashela www.silicosissettlement.co.za, noma emawebisayithi emawebisayithi ebammeli labamwele emacembu (buka ngentasi);
- Shayela lenobolo yeSikhungo Selucingo lamahhala ku 0801 000 240. Sikhungo Selucingo sitawusebenta ngaphandle kwekubhadalisa kubantfu labashaya lucingo labaseNingizimu Afrika;
- Tfumela “please call me” kulenombolo lelandzelako 072 557 8077; noma
- Chumana **NEBAMMELI LABAMELE EMACEMBU** ku:

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