ISAZISO NGENTLAWULO ECETYWAYO YEQELA LABANTU ABACHAPHAZELEKAYO

Ukuba ngaba njengangoku okanye wakhe WANGUMSEBENZI WAKUMGODI WEGOLIDE eMzantsi Afrika, nangalo naliphi na ixesha elisemva komhla we-12 Matshi 1965, yaye wakhe wahlangana nothuli lwesilica okanye waba nesifo sethayisisi (silicosis) okanye isifo sephepha ("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 AMALUNGELO AKHO.

Ukuba ngaba kukho okunye okusemdleni wakho ngokunxulumene nale ntlawulo icetywayo nawe kufanele usifunde esi saziso.

INTLAWULO ECETYWAYO

Iinkampani 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 esingekaqosheliswa sokuhlawula imali eyimbuyekezo kubasebenzi abafanelekileyo bakwimigodi yegolide kwakunye nabo baxhomekeke ngokwenkxaso kwabo basebenzi bakwimigodi yegolide nasele basweleka. Le ntlawulo icetywayo iza kuhlawula amabango angeniswe kwiinkampani zemigodi yegolide ezithatha inxaxheba nangeniswa ngenxa 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.

Intlawulo ecetywayo ixhomekeke kwimimiselo ethile kwaye kufanele yamkelwe yiNkundla Ephakamileyo ngaphambi kokuba iphunyezwe.

Ukuba ngaba intlawulo le yamkelwe futhi nayo yonke eminye imimiselo yayo yafezekiswa, kuya kusungulwa iThrasti ebizwa ngokuba yiTshiamiso Trust ize ivulwe isithuba seminyaka eli-13 ubuncinane.

Onke amalungu eqela labantu abachaphazelekayo, ngaphandle kwalawo akhethe ukuba azikhuphele ngaphandle kwale ntlawulo, ayakuba selungelweni lokufaka ibango kwiTshiamiso Trust lokufumana imbuyekezo eyimali.

Abafaki-mabango abafanelekileyo baya kuba selungelweni lokufumana intlawulo ehlawulwa kanye ephakathi kwe-R10 000 nama-R250 000, ngokuxhomekeke kubume kwanobuzaza besifo. Kwiimeko ezithile ezikhethekileyo, esi sixa semali singonyuswa ukuya kutsho kuma-R500 000. Umfaki-bango ofanelekileyo ngumntu olilungu lawo nawaphi na amaqela abantu abachaphazelekayo kwaye ozifezekisayo iimfuno zeTshiamiso Trust zokufumana imbuyekezo eyimali.

Iinkampani zemigodi yegolide ezithatha inxaxheba kananjalo kudingeka ukuba zihlawule amagqwetha eqela labantu abachaphazelekayo isixa semali esimiselweyo ukwenzela iindleko zasemthethweni kwakunye nokuhlawulela ukuphathwa kweTshiamiso Trust.

NGUBANI ILUNGU LEQELA LABANTU ABACHAPHAZELEKAYO?

Ulilungu leqela labantu abachaphazelekayo, kwaye uyakuba selungelweni lokufaka ibango kwiTshiamiso Trust, ukuba ngaba uyazizalisekisa zonke iimfuno zawo nawaphi na amaqela amane abantu abachaphazelekayo:

Richard Spoor Inc Attorneys · Abrahams Kiewitz Incorporated · LRC Legal Resources Centre

ARM African Rainbow Minerals · AngloAmerican · AngloGoldAshanti · Gold Fields · Harmony · Sibanye Stillwater (we are one)

Iqela labantu abachaphazelekayo loku-1:	Bonke abantu: 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: (i) abasebenza kwimisebenzi yangaphantsi komhlaba yomgodi wegolide; (ii) abasebenza kwindawo yokuhlamba iimpahla nalapho kuhlanjwa khona iimpahla zabasebenzi basemgodini abasebenza ngaphantsi komhlaba; (iii) abasebenza kwidama elinodaka lomgodi wegolide; (iv) abasebenza kwilebhu yovavanyo yomgodi wegolide nalapho kuhlalutywa khona umthamo wentsimbi (ore) enegolide, nalapho kukhangelwa khona ubuninzi bothuli oluphefumlwayo kwiisampuli; (v) abasebenza kwindawo yoveliso lwesinyithi yomgodi wegolide, kuquka ukucola, ukusika, ukuhambisa nokunyibilikisa intsimbi (ore); kunye (vi) nabasebenza kwimisebenzi yendawo ekuhanjiswa kuyo izinto (conveyor belt) neyenziwa ukuhambisa amatye aqhekeziweyo ukusuka kwimisebenzi yangaphantsi komhlaba kumgodi wegolide ukuya ngaphezulu; 2. abathe ngomhla okanye ngaphambi komhla wokuba isivumelwano sentlawulo siqale ukusebenza, baba nesifo ithayisisi (silicosis) okanye baye bahlangana nothuli lwesilica; 3. Abenza okanye abakhe benza umsebenzi obeka ebungozini komnye okanye ngaphezulu kwimigodi edweliswe kwiSihlomelo a sesi saziso emva komhla we-12 Matshi 1965; futhi 4. ababengazange bafumane ntlawulo kumabango abo kwiintlawulo ezaziqosheliswe 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.
Iqela labantu abachaphazelekayo loku-2:	Abo baxhomekeke ngokwenkxaso kubo nabaphi na abantu abakwiQela labantu abachaphazelekayo loku-1 apha ngasentla nasele beswelekile ngomhla esiqala ngawo ukusebenza isivumelwano sentlawulo.
Iqela labantu abachaphazelekayo loku-3:	Bonke abantu: 1. abaye benza umsebenzi obeka ebungozini ukufika kumhla esasiqala ngawo ukusebenza isivumelwano sentlawulo; 2. abathe ngomhla, ngaphambi okanye ngasemva komhla esiya kuqala ngawo ukusebenza isivumelwano sentawulo babe neSifo sephepha; kwaye 3. abenza okanye abakhe benza umsebenzi obeka ebungozini, emva komhla we-12 Matshi 1965, komnye okanye ngaphezulu kwimigodi edweliswe kwiSihlomelo A sesi saziso.
Iqela labantu abachaphazelekayo loku-4:	Abo baxhomekeke ngokwenkxaso kubo nabaphi na abantu abakwiQela labantu abachaphazelekayo lesi-3 apha ngasentla nasele beswelekile ngomhla esiqala ngawo ukusebenza isivumelwano sentlawulo.

ULIFAKA NJANI IBANGO LEMBUYEKEZO KWI-TSHIAMISO TRUST?

Kufuneka ukuba ube ngumfaki-bango ofanelekileyo ukuze ufumane imbuyekezo kwiTshiamiso Trust.

Xa ngaba nangelo xesha siqala ngalo ukusebenza isivumelwano sentlawulo, wena njengelungu leqela labantu abachaphazelekayo kuya kufuneka ukuba **ungenise ifomu egcwalisiweyo yokufaka ibango** eTshiamiso Trust, neenkcukacha zakho zobuqu kunye nembali yokuqeshwa okanye ukuba ungumntu oxhomekeke ngokwenkxaso, imbali yokuqeshwa yomsebenzi wasemgodini owaswelekayo.

Kusengafuneka ukuba wenziwe uxilongo lwezempilo ukuba ngaba ungumsebenzi wasemgodini okanye wawungumsebenzi wasemgodini.

Ukuba ngaba intlawulo yamkelwe yiNkundla Ephakamileyo iinkcukacha malunga nokufaka amabango ziya kupapashwa kulo migodi yegolide edweliswe kwiSihlomelo A nesasebenzayo. Kananjalo iinkcukacha ziya kupapashwa kumajelo eendaba nakwiwebhusayithi ethi:

www.silicosissettlement.co.za.

AKUDINGEKI UKUBA UHLAWULE NABANI NA UKUBA AKUNCEDISE UKUFAKA IBANGO LAKHO

Imigodi ethatha inxaxheba:
SA Land
Daggafontein
East Daggafontein
Elandsrand
Deelkraal (ekwaziwa ngokuba yi-Elandskraal)
Kusasalethu
Western Holdings (1,2,3,4,6,7) (ARMGold)
Matjhabeng (eminye imigodi emi-4 ye-Western Holdings iKudu, iNyala, iSable, ne-Eland neyayifudula iyimigodi i-Freddies neFree State Geduld)
Saaiplaas 2,3
Saaiplaas 4,5 (Masimong) (FreeGold 3)
Free State Geduld
Free State Cons
FreeGold 2 no-4
Freddies 7 no-9 (ukuya kwiKades Barnea cc, Pamodzi, nomgodi iTarget)
Freegold 2, 4 (Tshepong, Phakisa)
President Brand
President Steyn
Steyn 1,2 (ukuya eKades Barnea, Pamodzi, Bambanani)
Steyn 3,4 (FreeGold 1, ize ibeyiBambanani)
Brand 1, 2, 3, 5 (Steyn 5 ukuya ku-8)
HJ Joel / Joel
Western Reefs (ihlangene 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 (kuquka imigodi iKinross, iLeslie, iBracken neWinkelhaak)
Randfontein Estates
Doornkop
Cooke 1, 2 no-3 (Rand Uranium)
Cooke 4 (Ezulwini)
Unisel
Umgodi iHarmony
Merriespruit
Hartebeesfontein
Loraine (Imigodi u-1,2 no-3)
Zandpan
Umgodi iVirginia
Village Main Reef
Western Areas (ukuya eSouth Deep)
South Deep
Beatrix (kuquka i-Oryx)
Oryx (ukuya eBeatrix)
Driefontein (kuquka i-East Driefontein, West Driefontein ne-Driefontein Cons)
Kloof (kuquka i-Leeudoorn ukusuka ngomhla woku-1 Jan 1993, Libanon ne-Venterspos)
St Helena (icandelo laseBeisa)

NGOOBANI ABAMELI BEQELA LABANTU ABACHAPHAZELEKAYO NAMAGQWETHA EQELA LABANTU ABACHAPHAZELEKAYO?

INkundla Ephakamileyo yamkele abantu abangama-48 ukuba babe **NGABAMELI BEQELA LABANTU ABACHAPHAZELEKAYO** kwaye baza kusebenza egameni lamaqela abantu abachaphazelekayo ngexesha lentlawulo. Aba bantu bahlala jikelele eMzantsi Afrika futhi ungazifumana iinkcukacha zabo zonxibelelwano ngokutsalela umnxeba kwiziko leminxeba usebenzisa iinkcukacha ezinikezwe apha ngezantsi.

AMAGQWETHA EQELA LABANTU ABACHAPHAZELEKAYO avunywe yiNkundla Ephakamileyo ngawase: **RICHARD SPOOR INCORPORATED ATTORNEYS, ABRAHAMS KIEWITZ INCORPORATED** nase **LEGAL RESOURCES CENTRE**. Khangela apha ngezantsi ukufumana iinkcukacha zawo zoqhagamshelwano.

UVIWO LOKWAMKELWA KWENTLAWULO

Uviwo lokuqwalasela ukwamkelwa kweNtlawulo ecetywayo luya kumanyelwa ngomhla wama-29 ukuya kowama-31 Meyi 2019 kwiNkundla Ephakamileyo eJohannesburg, Corner Pritchard neKruis Streets, ngo-10:00 a.m.

INkundla Ephakamileyo ikhuphe umyalelo weNkundla ochaza oko ufanele ukwenze ukuba ngaba ufuna ukuthatha inxaxheba kuviwo.

Ungayifumana ikopi yalo myalelo weNkundla, isivumelwano sentlawulo kunye neekopi zamaphepha angeniswe kwiNkundla Ephakamileyo kuwo nawaphi na amagqwetha eqela labantu abachaphazelekayo (iinkcukacha zoqhagamshelwano zilapha ngezantsi). Iikopi ezi-elektronikhi zala maxwebhu ziya kufumaneka ku-www.silicosissettlement.co.za.

Ukuba ngaba ufuna ukunikezela ngezimvo zakho kwiNkundla Ephakamileyo ngokunxulumene neNtlawulo ecetywayo okanye ukuba ngaba ufuna ukuyiphikisa iNtlawulo ecetywayo, kufuneka:

- Uhambise isaziso sokuba nenjongo yokuthatha inxaxheba kunye nencwadi efungelweyo kumagqwetha ase-Richard Spoor Inc Attorneys kwaye uzingenise kwiNkundla Ephakamileyo ngaphambi komhla wama-20 Matshi 2019; futhi
- Uhambise ingxoxo ebhaliweyo, xa ngaba ikhona, kumagqwetha ase-Richard Spoor Inc Attorneys ukwenzela iinjongo zoviwo, nekufuneka nayo ingeniswe eNkundleni, ngaphambi komhla wama-24 Aphrili 2019

Amaxwebhu achazwe apha ngasentla anokuhanjiswa kumagqwetha ase-Richard Spoor Inc Attorneys ngesandla, ngefeksi okanye nge-imeyile (iinkcukacha zikwibhokisi apha ngezantsi).

INkundla iya kuziqwalasela zonke iincwadi ezifungelweyo kunye neengxoxo ezibhaliweyo xa isenza isigqibo sokuba iyamkele okanye ingayamkeli intlawulo. INkundla iya kukwazisa ukuba ngaba ifuna ukuva ingxoxo eyenziwe ngomlomo kuwe ngethuba loviwo.

Ukuba ngaba akukho saziso sokuthatha inxaxheba sifakiweyo ngomhla okanye ngaphambi komhla we-20 Matshi 2019, iNkundla iya kuwumamela lo mba ngomhla we- 3 Aphrili 2019.

INTLAWULO EKUGQITYWE KUYO

Ukuba ngaba iNkundla iyamkele intlawulo, isishwankathelo siya kupapashwa kumaphephandaba, koonomathotholo nakwii-ofisi ezahlukeneyo (kuquka ezo zemigodi yegolide edweliswe kwiSihlomelo A esasebenzayo kunye nakwii-ofisi ezithile zeengcebiso, ii-ofisi zeengcebiso zasemthethweni kunye nemibutho esekelwe eluntwini.

Imimiselo epheleleyo yesigqibo seNkundla kwakunye nentlawulo ekugqitywe kuyo iya:

- kufumaneka kwii-ofisi zamagqwetha eqela labantu abachaphazelekayo (iidilesi zilapha ngezantsi);
- kupapashwa kwezi webhusayithi zilandelayo: www.silicosissettlement.co.za kunye nakwiiwebhusayithi zamagqwetha eqela labantu abachaphazelekayo (khangela apha ngezantsi); futhi
- zithunyelwe kumntu ngamnye owayenike isaziso sokuvela kuviwo lokwamkela.

UKUZIKHUPHELA NGAPHANDLE KWIINKQUBO ZEQELA LABANTU ABACHAPHAZELEKAYO

Ukuba ngaba ulilungu leqela labantu abachaphazelekayo kwaye awuzikhuphelanga ngaphandle, intlawulo ekugqitywe kuyo iya kukubophelela yaye uya kukwazi ukungenisa ibango kwiTshiamiso Trust lokufumana imbuyekezo eyimali. Ukuba ngaba awuzikhuphelanga ngaphandle awuyi kubanelungelo lokuzingenisela ibango elilelakho okanye leqela labantu abachaphazelekayo ngokunxulumene nembuyekezo eyimali ngokuphathelele kwithayisisi okanye isifo sephepha nelijoliswe kwiinkampani zemigodi yegolide ezithatha inxaxheba.

Ulwazi olumalunga nendlela yokuzikhuphela ngaphandle luya kupapashwa ngelo xesha naxa iNkundla Ephakamileyo isamkela isivumelwano sentlawulo.

UKUFUMANA ULWAZI OLUNGAPHEZULU, KUQUKA NOKUBA UNGAYIFUMANA NJANI NA IKOPI YESIVUMELWANO SENTLAWULO:

- Yiya ku-www.silicosissettlement.co.za, okanye kwiiwebhusayithi zamagqwetha eqela labantu abachaphazelekayo (khangela apha ngezantsi));
- Tsalela umnxeba ongahlawulelwayo kwiZiko leMinxeba ku-0801 000 240. IZiko leMinxeba liza kufumaneka ngaphandle kwentlawulo kubantu abatsala umnxeba bengaphakathi eMzantsi Afrika;
- Thumela u-"please call me" kule nombolo ilandelayo 072 557 8077; okanye
- Qhagamshelana **NAMAGQWETHA EQELA LABANTU ABACHAPHAZELEKAYO** e:

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