CHIDZIWITSO CHOKHUZA CHIPEPETSO CHOTI CHIPEREKEDWE KWA ANTHU OMWE ANALI PACHIWOPSEZO

Ngati mukugwira ntchito kapena munkagwira ntchito mu MGODI WA GOLIDE ku South Africa, nthawi ina ili yonse kuchokera pa 12 Malichi 1965, ndipo munali pa chiwopsezo chifukwa cha fumbi lomwe limapangidwa chifukwa cha kugoba ndi kukwechana kwa miyala kapena munadwala matenda omwe amapangitsa mapapo anu kuti asagwire ntchito bwino chifukwa chopuma fumbili kapena chifuwa chachikulu ("TB") KAPENA amene ankakusamalirani inu (ngati mkazi wawo, mwana wawo) ndi munthu yemwe ankagwira ntchito mumgodiyo koma pano anamwalira, CHONDE WERENGANI CHIDZIWITSO ICHI MWATCHERU CHIFUKWA CHITHA KUKHALA CHOKHUDZA UFULU WANU.

Ngati mukukhuzidwa ndi chipepetso chomwe chikutchulidwachi, muwerengenso chidziwitso ichi.

CHIPEPETSO CHOTI CHIPEREKEDWE

Makampani asanu ndi imodzi, African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony, Sibanye-Stillwater ndi makampani ena omwe anaphatikana nawo("makampani okumba golide omwe amatenga nawo mbali") agwirizana kuti apereke chipepetso kwa anthu omwe amagwira ntchito mu migodi ya golide omwe ali oyenera kulandira chipepetsochi kapena kwa anthu omwe amasamaliridwa ndi anthu omwe amagwira ntchito mu migodiyi omwe anamwalira. Chipepetso choti chiperekedwe chipita kwa anthu omwe amagwira ntchito mumakampani omwe ali okhuzidwa ndi chisamani chomwe gulu la anthu ogwira ntchito kumakampaniwa anakatenga ku khoti lamphamvu ndi lapamwamba kwambiri la Hayi Khoti chifukwa cha:

- kupwetekeka komanso kutayika kwa zinthu ndi miyoyo ya anthu omwe amagwira ntchito mumigodiyi omwe anadwala matenda omwe amapangitsa mapapo kuti asagwire bwino ntchito kapena TB chifukwa chopuma fumbi la mumugodi nthawi yomwe amagwira ntchito mumigodi ina mu dziko la South Africa; ndi
- kupwetekeka komanso kutayika kwa zinthu ndi miyoyo komwe anthu, omwe amasamaliridwa ndi anthu omwe amagwira ntchito mu migodi omwe anamwalira chifukwa cha matendawa, anadutsamo.

Pali zinthu zina zoti zitsatiridwe chipepetsochi chisanaperekedwe komanso khoti la Hayi Khoti likuyenera kuvomereza kaye chisanayambe kuperekedwa.

Khoti likachivomereza chipepetso komanso zinthu zina zonse zikatsatiridwa, Bungwe lomwe lidzapange ndondomeko yopereka chipepetso lotchedwa Tshiamiso Trust lidzakhazikitsidwa ndipo lidzagwira ntchito kwa zaka zosachepera 13.

Anthu onse okhudzidwa, kupatulapo omwe anasankha kuti asapatsidwe chipepetso, adzakhala ovomeredzedwa **kuyitanitsa chipepetso chawo ku Tshiamiso Trust** kuti alandire ndalama zawo.

Anthu oyenerera kuyitanitsa chipepetso chawo adzalandira ndalama zawo pakamodzi zapakati pa R10 000 ndi R250 000, molingana ndi mtundu wa matenda komanso kakulidwe ka matendawo. Potengera zinthu zina zapadera, ndalama zimenezi zikhoza kuwonjedzeredwapo mpaka kufika R500 000. Munthu wovomeredzeka kuyitanitsa chipepetso ndi munthu yemwe ali membala wa gulu lina lili lonse la anthu ogwira ntchito mumigodi ya golide omwe anakatenga samani ku khoti yemwenso ali ndi zonse zomuyeneredza kulandira chipepetso molingana ndi zofunikira za bungwe la Tshiamiso Trust.

Makampani okumba golide okhuzidwa akuyenerekanso kuwalipira maloya omwe amawayimilira mlandu anthu ogwira ntchito mumigodi ndalama zomwe awononga pamilanduyi komanso kulipira ndalama zonse zoyendetsera bungwe la Tshiamiso Trust.

KODI MEMBALA WA GULU LA OGWIRA NTCHITO OMWE ATENGA SAMANI NDI NDANI?

Inu ndi membala wa gulu la ogwira ntchito omwe atenga samani, ndipo ndinu ovomeredzeka kuyitanitsa chipepetso ku bungwe la Tshiamiso Trust, ngati muli ndi zonse zokuyeneredzani za limodzi mwa magulu anayi awa:

Gulu 1:	Anthu onse: 1. omwe pofika tsiku lomwe mgwirizano wa ndondomeko yoperekera chipepetso utayambe kugwira ntchito akhala atagwira ntchito yopereka chiwopsezo pa moyo wawo. Molingana ndi mgwirizano wa ndondomeko yoperekera chipepetso, "ntchito yopereka chiwopsezo" molingana ndi momwe anayifotokozera mu lamulo lakaperekedwe ka chipepetso kwa munthu wotenga matenda chifukwa chogwira ntchito mumgodi la Occupational Diseases in Mines and Works Act, 1973 ndi zina mwa ntchito izi: (i) kugwira ntchito pansi pa nthaka mkati mwa mgodi wa golide; (ii) kugwira ntchito kumalo komwe zovala za anthu omwe amagwira ntchito pansi pa nthaka mkati mwa mgodi wa golide zimachapidwako; (iii) kugwira ntchito kumtaya komwe kumatayidwa zinthu zotsalira akayenga golide; (iv) kugwira ntchito mu chipinda chomwe amapangiramo kafukufuku wokhuza golide pomuphwanyaphwanya, komanso kufufuziramo kuti ndi fumbi lochuluka bwanji lomwe munthu walipuma; (v) kugwira ntchito kumalo komwe golide amayengedwerako, kuphatikizapo kuphwanya, kugaya, kunyamula kupititsa kwina komanso kumutenthetsa ndi kumusungunula; komanso (vi) kugwira ntchito pa mpita pomwe pamadutsa golide kuchokera mu mgodi kupita kunja. 2. yemwe atakhale kuti watenga matenda omwe amapangitsa mapapo kuti asagwire ntchito bwino chifukwa chopuma fumbi la mu mgodi kapena atakhale pa chiwopsezo chifukwa cha fumbi lomwe limapangidwa chifukwa cha kugoba ndi kukwechana kwa miyala mu mgodi pofika kapena lisanafike tsiku lomwe mgwirizano wa ndondomeko yoperekera chipepetso utayambe kugwira ntchito; 3. yemwe atakhale kuti akugwira kapena ankagwira ntchito yopereka chiwopsezo mu mgodi umodzi kapena migodi yingapo mwa migodi yomwe yatchulidwa pa mndandanda wa migodi yomwe yalembedwa pa Anekisi A ya chidziwitsochi kuyambira pa 12 Malichi 1965; komanso 4. yemwe sanalandire chipepetso chake panthawi yomwe kampani ya Anglo American South Africa Limited ndi AngloGold Ashanti Limited ankapereka chipepetso chomwe anamaliza pa 14 Malichi 2016 a AngloGold Ashanti Limited ndi pa 19 Sepitembala 2013 a Anglo American South Africa Limited.
Gulu 2:	Anthu omwe amasamaliridwa ndi anthu omwe amagwira ntchito mu migodi amu GULU 1 omwe anamwalira lisanafike tsiku lomwe mgwirizano wa ndondomeko yoperekera chipepetso utayambe kugwira ntchito.
Gulu 3:	Anthu onse: 1. omwe pofika tsiku lomwe mgwirizano wa ndondomeko yoperekera chipepetso utayambe kugwira ntchito akhala atagwira ntchito yopereka chiwopsezo pa moyo wawo; 2. omwe pofika kapena lisanafike tsiku lomwe mgwirizano wa ndondomeko yoperekera chipepetso utayambe kugwira ntchito akhala atatenga chifuwa chachikulu cha TB; komanso 3. omwe atakhale kuti akugwira kapena ankagwira ntchito yopereka chiwopsezo, patadutsa pa 12 Malichi 1965, mu mgodi umodzi kapena migodi yingapo mwa migodi yomwe yatchulidwa pa mndandanda wa migodi yomwe yalembedwa pa Anekisi A ya chidziwitsochi.
Gulu 4:	Anthu omwe amasamaliridwa ndi anthu omwe amagwira ntchito mu migodi amu Gulu 3 omwe anamwalira lisanafike tsiku lomwe mgwirizano wa ndondomeko yoperekera chipepetso utayambe kugwira ntchito.

KODI MUNGAYITANITSE BWANJI CHIPEPETSO CHANU KU BUNGWE LA TSHIAMISO TRUST?

Mukuyenera kukhala munthu wovomerezeka woyitanitsa chipepetso kuti mulandire ndalama zanu kuchokera ku bungwe la Tshiamiso Trust.

Mgwirizano wa ndondomeko yoperekera chipepetso ukayamba kugwira ntchito, inu ngati membala wa gulu lodandaula mukuyenera kupereka fomu yanu yoyitanitsira chipepetso yolembedwa bwino ku bungwe la Tshiamiso Trust, mutalemba bwinobwino mfundo zonse zokufotokozani inu ngati munthu komanso mbiri yonse yakagwiridwe kanu kantchito, kapena ngati mumasamaliridwa ndi munthu yemwe amagwira ntchito mu mgodi yemwe anamwalira, mukuyenera kulemba mbiri yake yonse yakagwiridwe kake kantchito. Mukuyeneranso kukayezedwa kuchipatala ngati mukugwira kapena munkagwira ntchito mu mgodi.

Khoti lalikulu likachivomereza chipepetso, mfundo za momwe munthu angayitanitsire chipepetso chake zidzayikidwa mumakampani okumba golide omwe atchulidwa mu Anekisi A omwe akugwirabe ntchito. Mfundozi zidzayikidwanso mumalo ofalitsira mauthenga komanso pa webusayiti: www.silicosissettlement.co.za.

SIMUKUYENERA KUMULIPIRA MUNTHU WINA ALIYENSE KUTI AKUTHANDIZENI KUYITANITSA CHIPEPETSO CHANU

Migodi yomwe ikukhuzidwa:

SA Land
Daggafontein
East Daggafontein
Elandsrand
Deelkraal (omwenso umatchuliidwa kuti Elandskraal)
Kusasalethu
Western Holdings (1,2,3,4,6,7) (ARMGold)
Matjhabeng (Migodi yakunsi kwa nthaka inayi ya Western Holdings yomwe ndi Kudu, Nyala, Sable, Eland yomwe kale inkatchedwa Freddies ndi Free State Geduld)
Saaiplaas 2,3
Saaiplaas 4,5 (Masimong) (FreeGold 3)
Free State Geduld
Free State Cons
FreeGold 2 and 4
Freddies 7 and 9 (mpakana Kades Barnea cc, Pamodzi, Target)
Freegold 2, 4 (Tshepong, Phakisa)
President Brand
President Steyn
Steyn 1,2 (mpakana Kades Barnea, Pamodzi, Bambanani)
Steyn 3,4 (FreeGold 1, then Bambanani)
Brand 1, 2, 3, 5 (Steyn 5 to 8)
HJ Joel / Joel
Western Reefs (mophatikizana ndi 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 (kuphatikizapo migodi iyi: Kinross, Leslie, Bracken ndi Winkelhaak mines)
Randfontein Estates
Doornkop
Cooke 1, 2 and 3 (Rand Uranium)
Cooke 4 (Ezulwini)
Unisel
Mgodi wotchedwa Harmony
Merriespruit
Hartebeesfontein
Loraine (Shafts 1,2 and 3)
Zandpan
Mgodi wotchedwa Virginia
Village Main Reef
Western Areas (mpakana South Deep)
South Deep
Beatrix (kuphatikizapo Oryx)
Oryx (mpakana Beatrix)
Driefontein (kuphatikizapo East Driefontein, West Driefontein ndi Driefontein Cons)
Kloof (kuphatikizapo Leeudoorn kuchokera pa1 Janyuwale 1993, Libanon ndi Venterspos)
St Helena (gawo la Beisa)

KODI OYIMILIRA MAGULU A OGWIRA NTCHITO OMWE ATENGA SAMANI NDI NDANI?

Khoti lamphamvu ndi lapamwamba kwambiri la Hayi Khoti lavomereza anthu 48 kuti akhale OYIMILIRA MAGULU A ANTHU OGWIRA NTCHITO OMWE ATENGA SAMANI ndipo iwo adzachita zonse m'malo mwa magulu a anthu ogwira ntchito omwe atenga samani. Anthu amenewa amakhala kumadera osiyanasiyana mudziko la South Africa ndipo muntha kupeza ma adiresi ndi manambala awo a foni poyimba ku malo koyimbirako mafoni pogwiritsa ntchito mfundo zomwe zaperekedwa munsimu.

WOYIMILIRA MLANDU MAGULU A ANTHU OGWIRA NTCHITO omwe avomeredzedwa ndi Khoti lamphamvu ndi lapamwamba kwambiri la Hayi Khoti ndi awa: **RICHARD SPOOR INCORPORATED ATTORNEYS**, **ABRAHAMS KIEWITZ INCORPORATED** ndi bungwe lomenyera maufulu a anthu la **LEGAL RESOURCES CENTRE**. Wonani munsimu kuti mupeze ma adiresi ndi manambala awo a foni.

KUMVETSERA MFUNDO ZOTI CHIPEPETSO CHIVOMEREDZEDWE

Kumvetsera kwa mfundo zoti Chipepetso chomwe chakhonzedwa chivomeredzedwe kudzachitika pa 29 mpaka 31 May 2019 ku Khoti lamphamvu ndi lapamwamba kwambiri la Hayi Khoti ku Johannesburg, ku misewu ya Corner Pritchard ndi Kruis, nthawi ya 10.00 m'mawa.

Khoti lamphamvu ndi lapamwamba kwambiri la Hayi Khoti lapereka dongosolo la zinthu zomwe munthu akuyenera kuchita ngati akufuna kutenga nawo mbali pa kumvetsera kwa mfundozo.

Mutha kupeza dongosolo la zinthu zomwe munthu akuyenera kuchita, mgwirizano wa ndondomeko yoperekera chipepetso komanso zolembedwa zina zomwe zilipo ku Hayi Khoti kuchokera kwa loya wina aliyense yemwe akuyimilira magulu a anthu ogwira ntchito (Ma adiresi ndi manambala awo a foni zili munsimu). Zolembedwa pa makina a magetsi za zinthu izi zikhoza kupezeka ku www.silicosissettlement.co.za.

Ngati mukufuna kupereka ndemanga ku Hayi Khoti pa Chipepetso chomwe chakhonzedwa kapena ngati mukufuna kuchikana, mukuyenera:

- Kupereka kalata yowonetsa kuti mukufuna kutenga nawo mbali komanso afidaviti ku Richard Spoor Inc Attorrneys komanso mukazisiye ku Hayi Khoti pakamafika pa 20 Malichi 2019; komanso
- Mupereke mfundo zanu zolembedwa, ngati zilipo, ku Richard Spoor Inc Attorneys kuti zizamvedwe pa tsiku lomwe kukhale kumvetsera kwa mfundo zoti Chipepetso chomwe chakhonzedwa chivomeredzedwe, komanso zikasiyidwe ku Hayi Khoti pakamafika pa 24 April 2019.

Zinthu zonse zomwe zatchulidwa pa mwambapa zikhoza kuperekedwa ku Richard Spoor Inc Attorneys pamanja, pafakisi kapena paimelo (ma adiresi ndi manambala awo a foni zili mu bokosi lili munsimu).

Khoti lidzagwiritsa ntchito ma afidaviti onse komanso mfundo zolembedwa zonse kuti lipange chigamulo chovomereza chipepetso kapena ayi. Khoti lidzakuwuzani ngati likufuna umboni wanu wapakamwa tsiku lomvetsera mfundo zoti Chipepetso chomwe chakhonzedwa chivomeredzedwe.

Ngati sipakhala kalata yowonetsa kuti mukufuna kutenga nawo mbali pofika pa 20 Malichi 2019, khoti lidzamvetsera mfundozo pa 3 Epulo 2019.

CHIPEPETSO CHOMWE CHAVOMEREDZEDWA

Khoti likavomeredza chipepetso, tsatanetsatane wake mwachidule adzasindikizidwa mu manyuzi, kulengezedwa pa wayilesi komanso adzayikidwa mumaofesi osiyanasiyana (kuphatikizapo makampani okumba golide omwe atchulidwa mu Anekisi A omwe adakagwirabe ntchito komanso maofesi ena omwe amapereka uphungu, maofesi owona za milandu ndi mabungwe akumadera.

Chigamulo chonse chomwe Khoti lidzapange komanso chipepetso chomwe chidzavomerezedwe chidza:

- yikidwa ku maofesi a maloya omwe akuyimilira ogwira ntchito omwe anatenga samani (kumaadiresi omwe ali munsimu);
- yikidwa kumawebusayiti awa: www.silicosissettlement.co.za komanso kumawebusayiti a maloya omwe akuyimira ogwira ntchito (wonani munsimu); komanso
- perekedwa kwa munthu wina aliyense yemwe anapereka kalata yowonetsa kuti akufuna kutenga nawo mbali pa kumvetsera kwa mfundo zoti Chipepetso chivomeredzedwe.

KUSANKHA KUSAKHALA NAWO GAWO LA SAMANI YOMWE GULU LA OGWIRA NTCHITO LATENGA

Ngati uli membala wa gulu la anthu ogwira ntchito omwe atenga samani ndipo siusankha kusakhala gawo la samani yomwe gululo latenga, chipepetso chomwe chivomeredzedwe ndi chomwe mudzalandire ndipo mudzakhala oyenera kuyitanitsa chipepetso chanu ku Tshiamiso Trust kuti akupatseni ndalama zanu. Mukapanda kusankha kusakhala gawo la samani yomwe gululo latenga simudza loledwa kutenga samani yanokha kuti mupasidwe chipepetso ngati wogwira ntchito panokha kapena ngati gulu la ogwira ntchito chifukwa chodwala matenda omwe amapangitsa mapapo kuti asagwire bwino ntchito kapena TB.

Mfundo za momwe mungakanire kukhala gawo la samani yomwe gulu la ogwira ntchito latenga zidzatsindikidzidwa Hayi Khoti ikavomeredza mgwirizano wa ndondomeko yoperekera chipepetso.

KUTI MUDZIWE ZAMBIRI KOMANSO MOMWE MUNGAPEZERE MGWIRIZANO WOKHUZA CHIPEPETSOCHI:

- Fufuzani ku www.silicosissettlement.co.za, kapena ku mawebusayiti a maloya oyimira mlandu omwe akuyimira anthu ogwira ntchito mumigodi (wonani munsimu);
- Yimbani nambala yoyimba ulere Malo Oyimbirako mafoni pa nambala iyi 0801 000 240. Malo Oyimbirako Mafoni adzakuthandidzani mwaulere ngati mukuyimbira mudziko la South Africa
- Tumizani "Chonde ndiyimbireni" ku nambala iyi 072 557 8077; kapena
- Yimbirani foni LOYA WOYIMILIRA GULU LA OGWIRA NTCHITO ku:
- Contact the **CLASS LAWYERS** at:

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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