

# CHIDZIWITSO CHOKHUZA CHIPEPETO CHOTI CHIPEREKEDWE KWA ANTHU OMWE ANALI PACHIWOPSEZO

Ngati mukugwira ntchito kapena munkagwira ntchito mu MGOIDI 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.

## CHIPEPETO 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 migodiyo 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 Haiyi Khoti chifukwa cha:

- kupwetekeka komanso kutayika kwa zinthu ndi miyoyo ya anthu omwe amagwira ntchito mumigodiyo 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 Haiyi Khoti likuyenera kuvomereza kaye chisanayambe kuperekedwa.

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

**Anthu onse okhuzidwa**, kupatulapo omwe anasankha kuti asapatidwe chipepetso, adzakhalala ovomerredzedwa **kuyitanitsa chipepetso chawo ku Tshiamiso Trust** kuti alandire ndalama zawo.

**Anthu oyenera 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 kuwonjeredzedwapo mpaka kufika R500 000. Munthu wovomerredzeka 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 akuyeneranso 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 ovomerredzeka kuyitanitsa chipepetso ku bungwe la Tshiamiso Trust, ngati muli ndi zonse zokuyeneredzani za limodzi mwa magulu anayi awa:



<b>Gulu 1:</b>	Anthu onse: 1. omwe pofika tsiku lomwe mgwirizano wa ndondomeko yopereka chipepetso utayambe kugwira ntchito akhala atagwira ntchito yopereka chiwopsezo pa moyo wawo. Molingana ndi mgwirizano wa ndondomeko yopereka chipepetso, "ntchito yopereka chiwopsezo" molingana ndi momwe anyifotokozera 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 pomphwanyaphwanyanya, komanso kufufuziramo kuti ndi fumbi lochuluka bwanji lomwe munthu walipuma; (v) kugwira ntchito kumalo komwe golide amayengedwerako, kuphatikizapo kuphanya, 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 isanafike tsiku lomwe mgwirizano wa ndondomeko yopereka 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 Septembara 2013 a Anglo American South Africa Limited.
<b>Gulu 2:</b>	Anthu omwe amasamaliridwa ndi anthu omwe amagwira ntchito mu migodi amu GULU 1 omwe anamwalira isanafike tsiku lomwe mgwirizano wa ndondomeko yopereka chipepetso utayambe kugwira ntchito.
<b>Gulu 3:</b>	Anthu onse: 1. omwe pofika tsiku lomwe mgwirizano wa ndondomeko yopereka chipepetso utayambe kugwira ntchito akhala atagwira ntchito yopereka chiwopsezo pa moyo wawo; 2. omwe pofika kapena isanafike tsiku lomwe mgwirizano wa ndondomeko yopereka 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.
<b>Gulu 4:</b>	Anthu omwe amasamaliridwa ndi anthu omwe amagwira ntchito mu migodi amu Gulu 3 omwe anamwalira isanafike tsiku lomwe mgwirizano wa ndondomeko yopereka chipepetso utayambe kugwira ntchito.

## KODI MUNGAYITANTSE BWANJI CHIPEPETO CHANU KU BUNGWE LA TSHIAMISO TRUST?

Mukuyenera kukhala munthu wovomerredzeka woyitanitsa chipepetso kuti mulandire ndalama zanu kuchokera ku bungwe la Tshiamiso Trust. Mgwirizano wa ndondomeko yopereka chipepetso ukayamba kugwira ntchito, inu ngati membala wa gulu lodandaula mukuyenera kupereka fomu yanu yoyitanitsira chipepetso yolembedwa bwino ku bungwe la Tshiamiso Trust, mutalamba bwino bwino mfundo zonse zokufotokozani inu ngati munthu komanso mbiri yonse yagwiridwe 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. Mfunduzo zidzayikidwanso mumalo ofalitsira mauthenga komanso pa webusayiti: [www.silicosissettlement.co.za](http://www.silicosissettlement.co.za).

## SIMUKUYENERA KUMULIPIRA MUNTHU WINA ALIYENSE KUTI AKUTHANDIZENI KUYITANITSA CHIPEPETO CHANU

<b>Migodi yomwe ikukhuzidwa:</b> SA Land Daggafontein East Daggafontein Elandsrand Deelkraal (omwenso umatichulidwa kuti Elandskraal) Kusasaletlu Western Holdings (1, 2, 3, 4, 5, 7) (AFMGold) Matjhabeng (Migodi yakunsi kwa nthaka inayi ya Western Holdings yomwe ndi Kudu, Nyala, Sable, Eland yomwe kale inkatchedwa Freddie's ndi Free State Geduld) Saaiplaas 2, 3 Saaiplaas 4, 5 (Masimong) (FreeGold 3)	Free State Geduld Free State Cons FreeGold 2 and 4 Freddie's 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 Nolligwa) Vaal Reefs 9 (Kopangang) Vaal Reefs 10 (Tau Lekoa) Vaal Reefs 11 (Moab Khotsong) Western Deep Levels Mponeng Western Areas (mpakana South Deep) Tau Tona (East Mine WDL 3) Savuka (West Mine WDL 2) St Helena Evander (kuphatikizapo migodi iyi: Kinross, Leslie, Bracken ndi Windfontaak mines) Randfontein Estates Doomkop 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) (mpakana Beatrix) Driefontein (kuphatikizapo East Driefontein, West Driefontein ndi Driefontein Cons) Kloof (kuphatikizapo Leueudom kuchokera pa1 Janyuwale 1993, Libanon ndi Venterspos) St Helena (gawo la Beisa)
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## KODI OYIMILIRA MAGULU A OGWIRA NTCHITO OMWE ATENGA SAMANI NDI NDANI?

Khoti lamphamvu ndi lapamwamba kwambiri la Haiyi 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 kudadera osiyanasiyana mudziko la South Africa ndipo muntha kupeza ma adresi ndi manambala awo a foni pojimba ku malo koyimbirako mafoni pogwiritsa ntchito mfundo zomwe zaperekedwa munsimu.

**WOYIMILIRA MLANDU MAGULU A ANTHU OGWIRA NTCHITO** omwe avomerredzedwa ndi Khoti lamphamvu ndi lapamwamba kwambiri la Haiyi 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 adresi ndi manambala awo a foni.

**KUMVETSERA MFUNDO ZOTI CHIPEPETO CHIVOMEREDZEDWE**  
Kumvetsera kwa mfundo zoti Chipepetso chomwe chakhonzedwa chivomerredzedwe kudzachitika pa 29 mpaka 31 May 2019 ku Khoti lamphamvu ndi lapamwamba kwambiri la Haiyi Khoti ku **Johannesburg**, ku misewu ya **Corner Pritchard ndi Kruis, nthawi ya 10.00 m'mawa**.

Khoti lamphamvu ndi lapamwamba kwambiri la Haiyi 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 yopereka chipepetso komanso zolembedwa zina zomwe zilipo ku Haiyi Khoti kuchokera kwa loya wina aliynse yemwe akuyimilira magulu a anthu ogwira ntchito (Ma adresi ndi manambala awo a foni zili munsimu). Zolembedwa pa makina a magetsi za zinthu izi zikhoza kupezeka ku [www.silicosissettlement.co.za](http://www.silicosissettlement.co.za).

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

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

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

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

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

## CHIPEPETO CHOMWE CHIVOMEREDZEDWA

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

Chigamulo chomwe Khoti lidzapange komanso chipepetso chomwe chidzavomerredzedwe chidza:

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

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

Ngati iwi membala wa gulu la anthu ogwira ntchito omwe atenga samani ndipo siusankha kusakhala gawo la samani yomwe gululo latenga, chipepetso chomwe chivomerredzedwe ndi chomwe mudzalandire ndipo mudzakhalala oyenera kuyitanitsa chipepetso chawo 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 zidzatsindikizidwa Haiyi Khoti ikavomerredza mgwirizano wa ndondomeko yopereka chipepetso.

## KUTI MUZIWE ZAMBIRI KOMANSO OMWE MUNGABUSAYITI MALOYA OYIMIRA MLANDU CHIPEPETO SOCHI:

- Fufuzani ku [www.silicosissettlement.co.za](http://www.silicosissettlement.co.za), kapena ku mawebusayiti a maloya oyimira mlandu omwe akuyimira anthu ogwira ntchito mumigodi (wonani munsimu);
- Yimboni nambala yoyimba ulere Malo Oyimbirako mafoni pa nambala iyi 0801 000 240. Malo Oyimbirako mafoni adzakuthandizani mwaulere ngati mukuyimilira 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:

<b>Richard Spoor Incorporated Attorneys</b> 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	<b>Abrahams Kiewitz Incorporated</b> Tel. +27 (0)21 914 4842 Fax. +27 (0)21 914 1455 classaction@ak.law.za P.O. Box 3048, Tygervalley, 7536, Cape Town	<b>Legal Resources Centre</b> Tel. +27 (0)11 836 9831 Fax. +27 (0)11 834 4273 silicosiclass@lrc.org.za P.O. Box 9495, Johannesburg, 2000
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