Tshiamiso TRUST

IFOM YOKUKHULULA YABAFAKI MABANGO KUMANGALELWANO EGAMENI LEQELA KWITHAYISISI

NCEDA UFUNDE NGONONOPHELO – OKU KUCHAPHAZELA AMALUNGELO AKHO OMTHETHO

Ukuba ngaba ufaka ibango kwiTrasti yeTshiamiso, kufunwa ukuba usayine ifom engezantsi.

Kufuneka wazi ukuba ngokusayina le fom emva kokuba ungenise ibango lakho lembuyekezo, uvuma okulandelayo:

- Ngeke ukwazi ukufaka ibango layo nayiphi imali eyongezelelekileyo kwiinkampani eziyinxenye yale ntlawulo yamabango akho ethayisisi okanye i-TB. Ezi ziinkampani eziyinxenye yentlawulo: I-African Rainbow Minerals, Anglo American South Africa, AngloGold Ashanti, Gold Fields, Harmony neSibanye Stillwater, kunye nabanye abamanyene nazo.
- Ngeke ukwazi ukufaka ibango layo nayiphi imali eyongezelelekileyo kwiTrasti yeTshiamiso ngaphandle kwemali yembuyekezo onelungelo layo.
- Awuyi kuba nelungelo lembuyekezo engaphaya ukuba imeko yakho iqhubeka phambili emva koko.
- Uyaqonda ukuba ibango eliphumeleleyo kwiTrasti yeTshiamiso aliqinisekisi ukuba uyakuphumelela kananjalo ekufakeni ibango kwi-MBOD/CCOD.
- Uyavuma ukuba iTrasti yeTshiamiso, apho kuyimfuneko ibe nokusebenza ngebango lakho, icele okanye yabelane ngolwazi lobuqu, kuquka ulwazi olubandakanyekayo lwengqesho nolwezonyango.
- Uyaqonda ukuba wazisiwe ukuba le nkqubo yokufaka ibango isimahla, kwaye akukho qela lesithathu linelungelo layo nayiphi intlawulo evela kuwe ngokungenisa okanye ukusebenza ngebango lakho. Nceda uxele ngokukhawuleza nawuphi na umntu ofuna intlawulo kuwe ngale nkqubo yokufakwa kwebango kwiTrasti.
- Ikopi yoXwebhu olusemthethweni lwesivumelwano lweTrasti inokudawulowudwa kwiwebhusayithi yeTrasti okanye iya kunikwa wena xa uyicelile.

Ifom ibhalwe ngolwimi lomthetho kwaye unelungelo lokubuza nayiphi na imibuzo phambi kokuba usayine ifom engezantsi okanye ufune icebo lomthetho ngeendleko zakho ukuba unokunqwenela ukwenza njalo.

IINKCUKACHA ZOMFAKI BANGO OHLAWULAYO (KUQUKA NABAFAKI MABANGO ABANGABAXHOMEKEKI)

Mna, osayinileyo,

Faka iGama eliPheleleyo:	

(Gcwalisa e-1 (enye) yezilandelayo, njengoko kunokufuneka)

INombolo yeSazisi soMzantsi Afrika:		
Inombolo yencwadana yokundwendwela:		Ilizwe ekhutshwe kulo:
Inombolo yomsebenzi/ yeshishini:		
Inombolo yoqhagamshelwano:		
Idilesi yendawo:		

Ndingenisa ibango kwiTrasti yeTshiamiso:

(Phawula enye yezilandelayo.)(Ukuba ngaba ungenisa ibango ngesikhundla esingaphezulu kwesinye, nceda ungenise ifom eyongezelelekileyo eyahlukileyo kwesinye isikhundla)

1.	Ngokwelulngelo lam njengomsebenzi wasemgodini obandakanyeka kumsebenzi onobungozi	
2.	Njengomxhomekeki womsebenzi wasemgodini oswelekileyo obandakanyeka kumsebenzi onobungozi	
3.	Njengomabi lifa wempahla womsebenzi wasemgodini oswelekileyo obandakanyeka kumsebenzi onobungozi	
4.	Njengomzali kunye / okanye umgcini womxhomekeki ongumntwana womsebenzi wasemgodini oswelekileyo obandakanyeka kumsebenzi onobungozi	

UKUKHUTSHWA KOKUTYALWAYO NGAPHANDLE KOKO KUMAYELA NOXWEBHU OLUSEMTHETHWENI LWESIVUMELWANO LWETRASTI

1	Ndiyavuma ukuba ndibotshelelwe yintlawulo kunye nemiqathango emiselwe kuXwebhu olusemThethweni lweSivumelwano lweTrasti yeTshiamiso (**uXwebhu olusemThethweni lweSivumelwano lweTrasti**), isivumelwano esikhoyo sentlawulo (**iSivumewano seNtlawulo**) esiphathelene nokusekwa kweTrasti yeTshiamiso (**iTrasti**), kunye eenejaji ezingaphezulu kwezesiqhelo zeNkundla ePhakamileyo yase-Johannesburg (**iSigwebo**) eqinisekisa udidi lokubeka abafaki mabango phantsi kwenombolo yetyala 44060/2018 (i-Saflii citation: [2019] ZAGPJHC 260 (26 Julayi 2019)).
2	Ndiyavuma kananjalo ukuba andinabango ngokubhekisele kwiTrasti, abasebenzi bayo kunye nabeekontraki beqela lesithathu, okanye iitrasti zayo (**iiTrasti**), ngaphandle kokuba kuvakalisiwe kuXwebhu olusemThethweni lweSivumelwano.
3	Ndiyavuma kananjalo ukuba andinalo ibango okanye ilungelo lomthetho lokufuna imbuyekezo nokuba yeyoluphi uhlobo ngokubhekisele kulo naliphi kumaqela kwiSivumelwano seNtlawulo okanye kwiArhente yoMfaki Bango (njengoko kuchaziwe kuXwebhu olusemThethweni lweSivumelwano) elivela kwimiqathango yoXwebhu olusemThethweni lweSivumelwano okanye nakuphi ukusilela kweeTrasti ukuthobela imiqathango yoXwebhu olusemThethweni lweSivumelwano okanye ukuqhuba imicimbi yeTrasti ngendlela ekufunwa ukuba benze ngayo.

IMVUME YOKUQOKELELWA KUNYE NOKUGCINWA KOLWAZI LOBUQU

4. Ndiyaqonda kwaye ndivuma ukuba iTrasti yeTshiamiso nabonyulwa bayo kunokufunwa ukuba baqokelele kwaye basebenze ngolwazi lobuqu olwazisayo, kuquka (kungamiselanga mda) ulwazi lwam olukhethekileyo lobuqu (njengoko kuchaziwe kumThetho woKhuselo loLwazi lobuQu, 2013), kunye nokuba ulwazi lobuqu, ixesha nexesha, kunokwabelwana ngalo nabantu abathile ngokoXwebhu olusemThethweni lweSivumelwano lweTrasti) kunye neSivumelwano seNtlawulo (kuquka, kungamiselanga mda, kuwo naphakathi kwawo, amaqela kwiSivumelwano seNtlawulo, kunye nabo baManyene nabo, njengoko kuchaziwe kuXwebhu olusemThethweni lweSivumelwano) kwaye ulwazi olunjalo kwiimeko ezifanelekileyo lunokuba ngaphandle koMzantsi Afrika. Ndiyaqonda kwaye ndivuma ukuba iTrasti yeTshiamiso kunye nabonyulwa bayo baya kuba nelungelo lokudlulisela ulwazi lwam lobuqu luye kwindawo ezinjalo ezingaphandle koMzantsi Afrika kwaye basebenzise ulwazi lwam lobuqu kwiindawo ezinjalo.

5. Ndiyaqonda kwaye ndivuma ukuba iTrasti yeTshiamiso kunye nabonyulwa bayo kunokufunwa ukuba basebenzise, baxele kwaye baqokelele koovimba beenkcukacha beshishini, amaziko agcina iinkcukacha ngamatyala kunye nabanye oovimba beenkcukacha, kuquka (kungamiselanga mda), oovimba beenkcukacha beZiko lezoNyango leZifo eziFumaneke eMsebenzini (Medical Bureau for Occupational Diseases) (MBOD), iKomishoni yeMbuyekezo yeZifo eziFumaneke eMsebenzini (Compensation Commission for Occupational Diseases) (CCOD), abaqeshi bangaphambili kunye/okanye iingxowa-mali zomhlalaphantsi okanye zobekelo, ulwazi olwazisayo lobuqu olumalunga nam (kuquka, kungamiselanga mda, kulwazi lwezonyango kunye nolunye ulwazi olukhethekileyo lobuqu, njengoko kuchaziwe kumThetho woKhuselo loLwazi lobuQu, 2013), kunye nokuxelwa kolo lwazi kumaqela eSivumelwano seNtlawulo, kwaye ngale ndlela ndigunyazisa nawuphi umntu lowo iiTrasti okanye abonyulwa baqhagamshelana naye ngokuphathelene noku ukuba balunike ulwazi olunjalo kubo, apho kubandakanyekayo kwaye kufuneka.

6. Ndiyaqonda kwaye ndivuma ukuba iTrasti yeTshiamiso kunye nabonyulwa bayo kunokufunwa ukuba baqulunqe kwaye baxele kulo naliphi iqela kwiiNkqubo zomThetho zoMangalelwano iinkcukacha zam zobuqu ezinokufunwa kulandela umyalelo wenkundla okanye ukuze kufunyanwe okuthile kwiinkqubo ezinjalo.

7. Ndiyaqonda kwaye ndivuma ukuba iTrasti yeTshiamiso kunye nabonyulwa bayo (kuquka, kodwa kungamiselanga mda, iGosa ekuFakwa kulo amaBango leTrasti) banokuqokelela kwaye basebenze ngolwazi lwam lobuqu olundazisayo, kuquka(kungamiselanga mda)idatha yeempawu zeminwe.

UKUBA UNEMINYAKA ELI-18 OKANYE NGAPHEZULU:

Ndineminyaka yobudala eli-18 okanye ngaphezulu. **Ndiyaziqonda iziphumo zomthetho zokusayina olu xwebhu**. Ndiyaqonda ukuba olu xwebhu lubhalelwe ukuba lube banzi kwaye luquke njengoko kuvunyelwe yimithetho yoMzantsi Afrika. Ndiyavuma ukuba xa nayiphi inxenye igcinwe ngokungekho mthethweni okanye ngokunganyanzelisiyo, ndiya kuqhuba ukubotshelelwa yimiqathango eseleyo. Ndilufundile olu xwebhu, kwaye ndilusayina ngokukhululekileyo. Azikho ezinye izindululo eziphathelene nesiphumo somthetho zolu xwebhu ezenziweyo kum.

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Usayino loMfaki Bango oHllawulayo

UKUBA NGABA UMFAKI BANGO OHLAWULAYO UNGAPHANTSI KWEMINYAKA ELI-18 UBUDALA:

Ndingumzali kunye/okanye umgcini osemthethweni woMfaki Bango oHlawulayo. **Ndiyaziqonda iziphumo zomthetho zokusayina olu xwebhu egameni loMfaki Bango oHlawulayo**. Ndiyaqonda ukuba olu xwebhu lubhalelwe ukuba lube banzi kwaye luquke njengoko kuvunyelwe yimithetho yoMzantsi Afrika. Ndiyavuma ukuba xa nayiphi inxenye igcinwe ngokungekho mthethweni okanye ngokunganyanzelisiyo, mna (kunye noMfaki Bango oHlawulayo) ndiya kuqhuba ukubotshelelwa yimiqathango eseleyo. Ndilufundile olu xwebhu, kwaye ndilusayina ngokukhululekileyo. Azikho ezinye izindululo eziphathelene nesiphumo somthetho zolu xwebhu ezenziweyo kum.

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Usayini lomzali/umgcini woMfaki Bango oHlawulayo