

## **SICELA UFUNDE NGOKUCOPHELELA – LOKHU KUNOMTHELELA KUMALUNGELO AKHO OMTHETHO**

Uma wenza isicelo sesinxephezelo Esikhwameni Semali Esisiwe se-Tshiamiso, kudingeka usayine ifomu elingezansi.

**Udinga ukwazi ukuthi ngokusayina leli fomu ngemuva kokufaka isicelo sakho sokukhokhelwa sesinxephezelo, uyavumelana nalokhu okulandelayo:**

- Ngeke ukwazi ukufaka isicelo sokukhokhelwa enye imali ezinkampanini eziyingxenywe yalesi sinxephezelo sokukhokhelwa sakho ngokuphathelene ne-silicosis noma Isifo Sofuba. Lezi yizinkampani eziyingxenywe yesivumelwano sokunxephezela: I-African Rainbow Minerals, i-Anglo American South Africa, i-AngloGold Ashanti, i-Gold Fields, i-Harmony neSibanye Stillwater, kanye nezinye zezinhlango ezingaphansi kwazo.
- Ngeke ukwazi ukufaka esinye isicelo sokukhokhelwa Esikhwameni Semali Esisiwe se-Tshiamiso ngaphandle kwemali yesinxephezelo onelungelo lokuyithola.
- Ngeke ube nelungelo lokuthola esinye isinxephezelo uma isimo sakho siqhubeka kamuva.
- Uyaqonda ukuthi isicelo sokukhokhelwa esiphumelele Esikhwameni Semali Esisiwe se-Tshiamiso asiqinisekisi ukuthi nawe uzophumelela ekufakeni kwakho isicelo sokukhokhelwa ku-MBOD/ku-CCOD.
- Uyavuma ukuthi Isikhwama Semali Esisiwe se-Tshiamiso, lapho kunesidingo sokucubungula isicelo sakho sokukhokhelwa, singacela noma sabelane ngolwazi lomuntu uqobo, oluhlanganisa ulwazi olufanele lokuqashwa kanye nolwazi lwezokwelapha.
- Uyaqonda ukuthi wazisiwe ukuthi le nqubo yokufaka isicelo sokukhokhelwa imahhala, futhi akekho umuntu wesithathu onelungelo lokuthola noma iyiphi inkokhelo evela kuwe ngokuhambisa noma ukulungiselela isicelo sakho sokukhokhelwa. Sicela ubike ngokushesha noma yimuphi umuntu ofuna inkokhelo kuwe ngale nqubo yokufaka isicelo sokukhokhelwa Esikhwameni Semali Esisiwe.
- Ikhophi Yegunya Lesikhwama Semali Esisiwe ingathweshulwa ngensiza esebenza ngogesi kuwebhusayithi yeSikhwama Semali Esisiwe noma uzonikezwa yona uma uyicela.

**Ifomu libhalwe ngolimi lwezomthetho futhi unelungelo lokubuza noma yimiphi imibuzo ngaphambi kokuba usayine ifomu elingezansi noma ufune iseluleko sezomthetho ngezindleko zakho uma ufisa ukwenza kanjalo.**

## IMININGWANE YOKUFAKA ISICELO SOKUKHOKHELWA ISINXEPHEZELO (KUHLANGANISA ABAFAKA ISICELO SOKUKHOKHELWA ABABETHEMBELE KUMVUKUZI)

**Mina, osayine ngezansi,**

Faka Igama Eligcwele:	
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**(Gcwalisa oku-1 (okukodwa) kokulandelayo, njengalokho kusebenza)**

Inombolo Kamazisi yaseNingizimu Afrika:	
Inombolo ye-passport:	Izwe ekhishwe kulo:
Inombolo yokuqashwa/yemboni osebenza kuyo:	
Inombolo yocingo:	
Ikheli lendawo:	

**ngifaka isicelo sokukhokhelwa Sesikhwama Semali Esisiwe se-Tshiamiso:**

(Thikha okukodwa kokulandelayo.) (Uma uthumela isicelo sokukhokhelwa esingaphezu kwesisodwa, sicela uthumele ifomu elehlukile lalaba abanye)

1.	Ngokwami njengomsebenzi wasemayini yegolide owenza umsebenzi wobungozi	
2.	Njengowayethembele kumvukuzi wasemayini yegolide osewashona owayenza umsebenzi oyingozi	
3.	Njengowengamele ukwaba ifa lomvukuzi wasemayini yegolide osewashona owayenza umsebenzi oyingozi	
4.	Njengomzali kanye / noma umnakekeli womuntu osemncane obethembele kumvukuzi owayesebenza emayini yegolide osewashona owayenza umsebenzi oyingozi	

## KUKHULULWA ISIBOPHO NGAPHANDLE KOKUHAMBISANA NEGUNYA LESIKHWAMA SEMALI ESISIWE

<b>1</b>	Ngiyavuma ukuthi ngiboshwe yisivumelwano kanye nemigomo ebekwe Egunyeni Lesikhwama Semali Esisiwe se-Tshiamiso (Igunya <b>Lesikhwama Semali Esisiwe</b> ), isivumelwano esiyisisekelo sokukhokha ( <b>iSivumelwano Sokukhokhelwa</b> ) esaholela ekusungulweni kweSikhwama Semali Esisiwe se-Tshiamiso ( <b>Isikhwama Semali Esisiwe</b> ), kanye nesinqumo senkantolo sesigungu samajaji seNkantolo eNkulu yaseGoli ( <b>Isinqumo senkantolo</b> ) eqinisekisa ukukhokhelwa kwezicelo zokukhokhelwa kwabafake izicelo ngaphansi kwecala elingu-44060/2018 (i-Saflii citation: [2019] ZAGPJHC 260 (26 Julayi 2019)).
<b>2</b>	Ngiyavuma futhi ukuthi anginaso isicelo sokukhokhelwa ngokuphathelele Nesikhwama Semali Esisiwe, abasebenzi baso kanye nosonkontileka abavela eceleni, noma abaphatheli abaqokiwe baso ( <b>Abaphatheli Abaqokiwe</b> ), ngaphandle uma kubhalwe ngokucacile Egunyeni Lesikhwama Semali Esisiwe.
<b>3</b>	Ngiyavuma futhi ukuthi anginaso isicelo sokukhokhelwa noma icala engingalifaka lwanoma yiluphi uhlobo olubhekiswe kunoma yiliphi iqembu lesivumelwano Sokukhokhelwa isinxephezelo noma i-Agent Yabafaka Isicelo Sokukhokhelwa (njengoba kuchaziwe Egunyeni Lesikhwama Semali Esisiwe) okususelwa emigomweni Yesikhwama Semali Esisiwe noma nanoma yikuphi ukwehluleka Kwabaphatheli Abaqokiwe ngokuphathelele Negunya Lesikhwama Semali Esisiwe noma ukwenza izinto Zesikhwama Semali Esisiwengendlela okumele benze ngayo.

## UKUVUMELANA NOKUQOQWA NOKUGCINWA KOLWAZI LOMUNTU UQOBO

4. Nginyaqonda futhi ngiyavuma ukuthi Isikhwama Semali Esisiwe se-Tshiamiso kanye nabaphakanyisiwe baso kungadingeka ukuthi baqoqe futhi balungiselele imininingwane ekhomba umuntu uqobo, kubandakanya (futhi akugcini lapho) imininingwane yami ekhethekile (njengoba kuchaziwe kuMthetho Wokuvikelwa Kolwazi Lomuntu Oluyimfihlo, 2013), futhi ukuthi imininingwane yomuntu uqobo, ngezikhathi ezithile, ingabelwa abantu abathile ngokweGunya Lesikhwama Semali Esisiwe kanye neSivumelwano Sokukhokhelwa (kufaka phakathi, ngaphandle komkhawulo, kuya naphakathi, izinhlangano Ezisesivumelwaneni Sokukhokhelwa, kanye nezinhlangano zabo, njengoba kuchaziwe Egunyeni Lesikhwama Semali Esisiwe) kanye nalolo lwazi lungahlala ezimweni ezifanele ngaphandle kwaseNingizimu Afrika. Nginyaqonda futhi ngiyavuma ukuthi Isikhwama Semali Esisiwe se-Tshiamiso kanye nabaphakanyisiwe bayoba nelungelo lokudlulisela imininingwane yami ezindaweni ezinjalo ezingaphandle kweNingizimu Afrika futhi basebenzise imininingwane yami kulezo zindawo.
5. Nginyaqonda futhi ngiyavuma ukuthi Isikhwama Semali Esisiwe i-Tshiamiso kanye nabaphakanyisiwe bayo kungadingeka ukuthi basebenzise, badalule futhi baqoqe kuzizindalwazi zezimboni, kuma-credit bureau nakwezinye izizindalwazi, kubandakanya (ngaphandle komkhawulo) imininingwane yolwazi ye-Medical Bureau for Occupational Diseases (MBOD), i-Compensation Commission for Occupational Diseases (CCOD), abaqashi baphambilini kanye/noma imali yempesheni noma yesikhwama esihlinzekelayo (provident fund), imininingwane engakhonjwa ngami (kufaka phakathi, ngaphandle komkhawulo, imininingwane yezokwelapha nolunye ulwazi lomuntu siqu olukhethekile, njengoba kuchaziwe kuMthetho Wokuvikelwa Kolwazi Lomuntu Uqobo, 2013), futhi ngidalule lolo lwazi ezinhlangeni zeSivumelwano Sokukhokhelwa, futhi ngalokhu ngigunyaza noma yimuphi umuntu Abaphatheli Abaqokiwe noma abaqokiwe ukuxhumana naye maqondana nalokhu ukuba abanikeze lolo lwazi kubo, lapho kufanele khona nalapho kudingeka khona.
6. Nginyaqonda futhi ngiyavuma ukuthi Isikhwama Semali Esisiwe se-Tshiamiso kanye nabaphakanyisiwe kungadingeka ukuthi bahlanganise futhi badalule kunoma yiliphi iqembu Ecaleni Lokukhokhelwa Isinxephezelo Abantu Abaningi (Class Action Litigation) imininingwane yami yokuxhumana engadingeka ngokulandela umyalelo wenkantolo noma ngokutholakala enkambisweni enjalo.
7. Nginyaqonda futhi ngiyavuma ukuthi Isikhwama Semali Esisiwe se-Tshiamiso kanye nabaphakanyisiwe baso (kuhlanganisa, ngaphandle komkhawulo, Isikhulu Esengamele Ukufakwa Kwezicelo Zokukhokhwa Zesikhwama Semali Esisiwe) bangaqoqa baphinde balungiselele imininingwane yami engingakhonjwa ngayo, kuhlanganisa (ngaphandle komkhawulo) idatha yebhayomethriki.

## UMA UNEMINYAKA YOBUDALA EYI-18 NOMA NGAPHEZULU:

Ngineminyaka yobudala engu-18 noma ngaphezulu. **Ngiyayiqonda imiphumela yezomthetho yokusayina le dokhumenti.** Ngiyakuqonda ukuthi le dokhumenti ibhalwe ngokubanzi futhi ibandakanye konke njengoba kuvunyelwe ngokomthetho yimithetho yaseNingizimu Afrika. Ngiyavuma ukuthi uma noma iyiphi ingxenye itholakala ingavumelekile noma ingaphoqelegeki, ngizoqhubeka nokuboshwa yimigomo esele. Ngiyifundile le dokhumenti, futhi ngiyisayina ngokukhululeka. Azikho ezinye izethulo eziphatelene nomphumela wezomthetho zale dokhumenti enziwe kimi.

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Isiginesha Yofake Isicelo  
Sokukhokhelwa Isinxephezelo

## UMA OFAKE ISICELO SOKUKHOKHELWA ISINXEPHEZELO ENGAPHANSI KWEMINYAKA YOBUDALA EYI-18:

Ngingumzali kanye/noma umnakekeli osemthethweni Wofake Isicelo Sokukhokhelwa Isinxephezelo. **Ngiyayiqonda imiphumela yezomthetho yokusayinda le dokhumenti egameni Lofaka Isicelo Sokukhokhelwa Isinxephezelo.** Ngiyakuqonda ukuthi le dokhumenti ibhalwe ngokubanzi futhi ibandakanye konke njengoba kuvunyelwe ngokomthetho yimithetho yaseNingizimu Afrika. Ngiyavuma ukuthi uma noma iyiphi ingxenye itholakala ingavumelekile noma ingaphoqelegeki, mina (kanye Nofaka Isicelo Sokukhokhelwa Isinxephezelo) sizoqhubeka nokuboshwa yimigomo esele. Ngiyifundile le dokhumenti, futhi ngiyisayina ngokukhululeka. Azikho ezinye izethulo eziphatelene nomphumela wezomthetho zale dokhumenti enziwe kimi.

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Isiginesha yomzali/umnakekeli Wofaka Isicelo  
Sokukhokhelwa Isinxephezelo