



# Tshiamiso TRUST

# TSHOBOKANYO YA TUMALANO YA SEMOLAO YA TSHIAMISO TRUST

Tsweetswee ela tlhoko gore tokumente eno ya tshobokanyo ya Tumalano ya Semolao ya Tshiamiso Trust e kwaletswwe go thusa ba ba dirang dikopo le batho ba bangwe ba ba amegang ka go ba naya tshobokanyo e khutshwanyane ya taolo semolao e e neilweng Trust. Tshobokanyo eno ga se tokumente e e tlamang kafa molaong.



## Hisitori

Tumelano ya go ntsha madi a phimolakeledi go thusa batho ba ba nang le bolwetse jwa silicosis le thibilli le Tumalano ya Semolao ya Trust e ne ya tsenelwa ke ditlamo di le thataro tsa meepo mo lethlakoreng le lengwe le babeledi ba ba neng ba emetse badiri ba kwa meopong kafa go le lengwe ba ba batlang bo kopa go nawa phimolakeledi ka ntlha ya dikgobalo tse ba nnieng le tsone kgathamong le ditlamo tse.

Ditlamo tse di amegang ke African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony e Sibany-Stillwater. Baemedi ba batho ba ba dirang dikopo ke Richard Spoor Inc, Abraham Kiewitz Inc le Legal Resources Centre.

Boikaelelo jwa Trust eno go tlhaloswa gore ke "go tlhomamisa gore Tumalano eno o diragadiwa le go naya Badiradikopo ba ba Tshwanelegang Madi a Bone (ba e leng ba Trust e tshwanetseng go ba naya phimolakeledi) e le madi le go ya ka melao e e beilweng ke Tumalano eno ya Semolao ya Trust (Boikaelelo jwa Trust). Se se dirwang ke Trust se tla tswelwa go ya ka kaelo ya Boikaelelo jwa Trust, le Matlole a Trust a tla dirisiwa gore go fithelelwe jone Boikaelelo jwa Trust."



## Ba tumalano eno ya Trust ya go ntshiwa ga phimolakeledi e dirang mo go bone

Tumalano eno ya go ntshiwa ga phimolakeledi e ama mo e ka nnang badiri botlhe ba kwa meopong ya gauta ba ba neng ba dira tiro e e kotsi mo go mongwe wa meepo e le 82 ya gauta e e tshwanetseng ke ditlamo tse thataro tse. Tiro e e kotsi e tlhaloswa mo Lekwalong la Tumalano ya Semolao ya Trust jaaka mo go Karolo 13 ya Molao o o Buang ka Malwetse a a Balwang ke Tiro e Motho e e Dirang kwa Meopong le kwa Tirong (Occupational Diseases in Mines and Works Act (ODMWA)), le le tlhalosang gore motho o dira tiro e e kotsi fa e le gore o tsenwa ke lerole le e reng fa le go tseme kgotsa le ka nna le ntsi mo go wena le leng kotsi kgotsa le ka nnang kotsi, kgotsa a tsenwa ke digase, dikhemikale, dilo kgotsa maemo a tiro a a kotsi kgotsa a ka nna ngang kotsi.

Mengwe ya meepo eno e e 83 e ne ya fetolwa beng ba yone fa nako e ntse e ile. Tumalano eno e dira mo meopong eno ka lobaka fela lo batho bano ba neng ba le karolo ya ditlamo tse thataro tse di amegang mo tumalanong eno.

E ama badiri ba ba neng ba dira tiro e e kotsi le ba ba neng ba dira kwa meopong eo mo lobakeng lwa magareng ga 12 March 1965 le 10 December 2019 (letha le seno se diragadiwang ka lone), le ba ba neng ba tsenwa ke bolwetse jwa silicosis mo nakong e e fetileng kgotsa ba go tla fitlhelwang ba na le bolwetse jwa silicosis pele ga December 2031, kgotsa ba ba neng ba tsenwa ke TB fa na nte ba dira mo meopong eno kgotsa ba e neng ya ba tsena mo lobakeng lwa ngwaga fa ba se na go tlogela go mo meopong.

Lefa go ntse jalo, ga e ame ba e neng e le karolo ya tumalano epe e nngwe e e dirilweng e e amang silicosis, go akaretse le tumalano ya Qhubeka Trust, e bile ga e ame ba e mmalwa ba ba neng ba thopha go tsava mo tumalanong eno ka nako ya go thopha go tsava mo go yone mo bofelong jwa 2019.



## Ditlhophra tsa ba ba bonang phimolakeledi le ba ba laolang phimolakeledi e e ntshiwang

Fa tlase fano ke lenaane la ditlhophra di le lesome. Madi a a bontshiwang ke selekanyo se se kwa godimo thata sa madi a modirakopo a ka a newang ke Tshiamiso Trust fa a fithelela ditlo tsothe tse di batlegang.

Melao ya go tshwanelegang le diphetogo tse Tshiamiso Trust e thokang go di diragatsa tota di batlwa ke Lekwalo la Tumalano ya Semolao la Trust.

Moo modirakopo a ileng a dira mo go o le mongwe kgotsa go feta wa meepo e e 83 e e tshwanelegang mme e bile a ile a dira le kwa meopong e meengwe e e seng karolo ya tumalano eno mme a tsenwe ke bolwetse jwa silicosis kgotsa thibilli e e amanang le mmereko, a ka nna a tshwanelega go amogela fela selekanyo sa madi a a kopang se se tsamaisanang le nako e a e berekileng mo meopong eno. Lefa go ntse jalo, mongwe le mongwe yo o berekileng kwa meopong o o tshwanelegang lobaka lwa bobotlana dingwaga di le 30 ga a na go fokoletswa maduo a a tshwanetseng go a newa. Go ntse jalo le ka motho yo o neng a thokometsewe ke modirakopo yo o thokafetseng.

Fa modirakopo yo o tshwanelegang a ile a dira tiro e e kotsi kwa meopong mongwe o o tshwanelegang mme e se ka paka e e beilweng, madi a a tla a newang a tla fokotswa gore a tsamaisane le lobaka lo a lo dirileng.

Modirakopo yo o tshwanelegang o tla amogela fela madi a sethophra se le sengwe fela, tota le fa ile a tsenwa ke silicosis le thibilli ka bobedi. Go ntse jalo tota le mo maemong ao mo go one bolwetse jwa modirakopo lo ileng jwa nna maswe thata gone morago go gore go ntshiwa madi ano. Fa badirakopo bano ba setse ba duetswe, ga ba ka ke ba kgona go dira kopo e nngwe gape ba re ka gonne bolwetse jwa bone bo ile jwa etegela morago ga mme.

Moo madi a ODMWA a bolwetse jwa silicosis kgotsa thibilli a ileng a okeediwa ka ntlha ya kitisio e e dirilweng mo Lekwalong la Pusw morago ga 10 December 2019, mme modirakopo yo o tshwanelegang a tshwanelega go amogela madi ano a a okeetseng go tswa go Mokokomisnara ya o Ntshang Madi a Phimolakeledi ka Ntla ya Malwetse a a Bonwang kwa Tirong (Compensation Commissioner for Occupational Diseases (CCOD)), madi a a ntshiwang ke Tshiamiso Trust a tla fokodiwa go ya ka selekanyo seo.

Mo maemong mangwe madi a a duelwang a ka nna a fokotswa ka selekanyo sengwe se beilweng ke ba Ditirelo tsa Lekgetho ba Afrika Borwa (South African Revenue Service (SARS)), mme madi ao a tshwanelego go newa SARS.

Moo go nang le batho ba feta a le mongwe ba ba neng ba thokomelwa ke modirakopo, madi a a newang mongwe le mongwe wa badirakopo bano ga a na go feta madi othe a a tshwanetseng go ntshiwa mo boemong jo a leng mo go jone.



## Go batla badiradikopo fa ba leng teng

Ke boikarabelo jwa Trust eno go batla badiradikopo ba le bantsi ka mo go kgonegang ka gone ba ba tshwanelegang mo lobakeng lwa dingwaga di le lesome tsa ntlha tsa Trust eno.

Go tswa mo thulaganyo eno:			
<b>1</b>	Babeledi ba batho ba ba dirang dikopo ba tshwanetseng go naya Trust dintlha tsa batho botlhe ba ba dirang kopo ba ba emetseng mo molaong.	<b>3</b>	Lefa gone Lekwalo la Tumalano ya Semolao ya Trust le sa re seno se tshwanetseng go dirwa, ditlamo tse di simolotseng tiro eno ya moepo le tsone di bone tshedimotseto e e maleba go tswa go TEBA ka badiri ba ba ileng ba ba thapa.
<b>2</b>	Ditlamo tse di tsayang karolo mo kgatong eno di tshwanetseng go naya Trust direkoto tsothe tse di teng tsa badiri ba ba neng ba dira tiro e e kotsi kwa meopong e e tshwanelegang mo lobakeng lono lolo dirang gore ba bo ba tshwanelega go tsaya karolo mo kgatong eno.	<b>4</b>	Trust gape e tshwanetseng go dirisana mmogo le Biro ya Kalafi ya Malwetse a a Bonwang kwa Tirong (Medical Bureau for Occupational Diseases (MBOD)) gore ba bone tshedimotseto ka batho ba ba ba direnseng kopo ya gore ba newe phimolakeledi, le gore go ya selekanyong se se kgonegang Trust le MBOD di se ka tsa dira tiro e e tshwanang mo bathong ba ba tshwanetseng go bona dituelo tse tsa phimolakeledi.



## Maloko a Trust

Ditlamo tse di tsayang karolo mo tumalanong eno di ne tsa thlopha maloko a le mararo a Trust eno, le le mabedi a tlhophiwe ke babeledi ba batho ba ba dirang kopo mme a le mongwe o tlhophiwe ke puso. Momasetulo wa ntlha wa Trust eno o ne a tlhophiwa ka tsela e e kopanetseng ke ditlamo tse no ke babeledi ba badiradikopo.



## Komiti ya Bagakolodi ba Trust

Trust eno e tshwanetseng go thokomela gore go thomiwe Komiti ya Bagakolodi ba Trust e e nang le baemedi go tswa kwa pusong, diyunioneng tsa badiri, baetelepele mo setshabeng le di-NGO le ba bangwe ba maloko a badiri ba tsayang gore ba ka kgonag o gakolola Trust eno ka tsela e e molemo.

### GO DIRWA GA DIKOPO

Dikopo tsothe di tshwanetseng go tsennngwa ke badiradikopo ba di tsenya ka Motlhankedi wa go Dirra Dikopo.

Fa Motlhankedi wa go Dirra Dikopo a re go na le ditokumente dingwe tse di thokegang go dira kopo tse modirakopo a sa di tlang, Motlhankedi wa go Dirra Dikopo o tla itisise modirakopo gore ke ditokumente dife tse di tlaelang mme, fa go tshwanele, a thuso modirakopo gore a bone ditokumente tse.

Ditokumente dingwe, go akaretse le ditokumente tsa go thapiwa, go ka nna ga tsaya lobakanyana go di thomamisa, thata thata e le ka ntlha gore mo dingwang tsa bogologolo go ne go se na mokgwa o o siameng wa go boloka direkoto.

Fa Motlhankedi wa go Dirra Dikopo a kgotsafetse gore modirakopo o tlotitse ditokumente tsothe tse di thokegang, fa e le gore ene modirakopo ka boene o ne a bereka kwa meopong, mme e se gore ke ngwana wa motho yo o neng a bereka kwa meopong, motho yone yo o dirang kopo o tla romelwa kwa modirang yo o tshwanelegang wa kalafi gore go dirwe tlhatlho bo ya kalafi. Tlhatlho eno ya kalafi ga e ne e thlogega fa e le gore motho yo o dirang kopo o mo go nngwe ya dikarolo tse di latelang:

<b>1</b>	Fa motho yo o dirang kopo a setse a na le pego ya bongaka, pego eno mmogo le ditokumente tse dingwe tsa go dira kopo di tshwanetseng go newa Phanele ya go Thlomamisa Dilo tsa Bongaka;
<b>2</b>	Fa modirakopo a na le setifikeiti se se dumeletsweng sa ODMWA se se ntshitsweng morago ga 10 December 2019, setifikeiti seo se tshwanetseng go newa Komiti ya Dithlomamiso ya Trust;
<b>3</b>	Fa modirakopo a na le setifikeiti se se dumeletsweng sa ODMWA se se ntshitsweng pele ga 10 December 2019, modirakopo yone o tshwanetseng go newa gore a thlopho gore a o batla gore setifikeiti seno se romelwe kwa Komiting ya Dithlomamiso ya Trust, kgotsa a ka nna a thlopha gore go dirwe tlhatlho bo e nngwe gape ya kalafi mo go ene moo go tlhatlhoibiwang go makgwafo a gagwe, gore go bonwe gore a boemo jwa gagwe bo ile jwa etegela kgotsa jang.

Fa go bonala sentle mo ditokumenteng tse di tlotsweng gore go ka ke ga direga gore modirakopo a kaiwe a tshwanelega go dira kopo, Motlhankedi wa go Dirra Dikopo o tla dira pego e e bontshang gore ga tshwanelego mo go tshwanelego go tswa go Kitisio ya go se Tshwanelele le le tlhalosang mabaka a tshwetso e a e tsereng.

Modirakopo a ka nna a kopa gore Lekwalo la Kitisio ya go se Tshwanelele le tlhatlhoibwe gape mo lobakeng lwa malatsi a le 30 morago ga gore a le newe.

# THULAGANYO YA GO DIRA DIKOPO



### MAFEO A GO DIRA TLHATHOBO YA KALAFI

Trust e tshwanetseng go rulaganya mafelo a go dirwa ga tlhatlho bo ya kalafi gore go dirwe tlhatlho bo tse di ka ikangngwang, go akaretse le ditlhathobo tse di dirwang morago ga loso lwa motho fa go tshwanelegang teng. Maloko a Trust a tshwanetseng go rulaganya le go nna le tenaane la mafelo a a dumeletsweng go dira ditlhathobo tse no tsa kalafi, ditlhophra le batlamedi ba ditirelo tsa kalafi ba ba tla dirang mo mafelong ano.

### TLHATHOBO YA KALAFI

Fa modirakopo a dirwa tlhatlho bo ya kalafi, fa e le gore o dirile tiro e e kotsi mo go o le mongwe kgotsa go feta wa meepo e e tshwanelegang, a dirile moo lobaka lo lo fetang dingwaga di le thano, Trust e tla duelela ditsheyegelo tsa tlhatlho bo ya kalafi.

Fa modirakopo a dirwa tlhatlho bo ya kalafi mme a dirile tiro e e kotsi mo go o le mongwe kgotsa go feta wa meepo e e tshwanelegang, a dirile moo lobaka lo lo kwa tlase ga dingwaga di le thano, modirakopo o tshwanetseng go duelela ditsheyegelo tsa tlhatlho bo eno, mme o tla busetswa madi ao fa go thomamiswa gore o a tshwanelega go dira kopo mme a tllie go newa madi ano a phimolakeledi.

Morago ga tlhatlho bo eno, motlameda ka tlhokomelo ya kalafi yono yo o tshwanelegang fa thusiwa ke Motlhankedi wa go Dirra Dikopo) o tla naya Phanele ya go Thlomamisa Dilo tsa Bongaka pego eo ya bongaka mmogo le ditokumente tse dingwe tsa go dira kopo. Pego ya bongaka e ka nna ya akaretse la dikasere le ditshwantsho tse dingwe tsa tlhatlho bo, le dipholo tsa diteko tse di dirilweng tsa makgwafo.

Phanele ya go Thlomamisa Dilo tsa Bongaka e tla sekaseka pego eno ya bongaka mme fa e kgotsafetse e tla ntsha Setifikeiti sa Tlhatlho bo ya Kalafi. Ntle le fa Setifikeiti sa Tlhatlho bo ya Kalafi se bontsha gore modirakopo ga a tshwanelega go ya ka tlhatlho bo ya bongaka, kgotsa gore modirameopong yo o thokafetseng yo ngwana wa gagwe a dirang kopo ka ene ga a tshwanelega go ya ka tlhatlho bo ya bongaka. Phanele ya Thlomamiso ya Dilo tsa Bongaka e tshwanetseng go romela Setifikeiti sa Tlhatlho bo ya Kalafi mmogo le ditokumente tse dingwe tsa go dira kopo kwa Komiting ya Dithlomamiso ya Trust.

### PHANELE YA GO TLHOMAMISA DILO TSA BONGAKA

Go tshwanetseng ga tlhonga Phanele ya go Thlomamisa Dilo tsa Bongaka e e nang le bomankge ba le babeti go ya go ba le bararo ba ba itseng ka malwetse a makgwafo a a bonwang mo tirong gore phanele eno e sekaseka pego nngwe le nngwe ya bongaka e e romelwang go fa go dirwa kopo ya go bona phimolakeledi.

### MOTSAMAISI WA DITUelo O TSHWANETSE GO DIRA GORE MADI A PHIMOLAKELEDI A DUELWE

Fa Setlammo se se emelang ditlamo tse di tlamelang ka dituelo se sena go sekaseka direkoto, e leng selo se go ka nnang ga tsaya malatsi a le 90 go se dira, dikopo tsothe tse Komiti ya Dithlomamiso ya Trust e e di amogelang di romelwa kwa Motsamaising wa Dituelo yo o tla rurifatsang akhaonto ya banka ya modirakopo go go duela madi a a ntsheditsweng tumelo mo akhaontong eo ya banka.

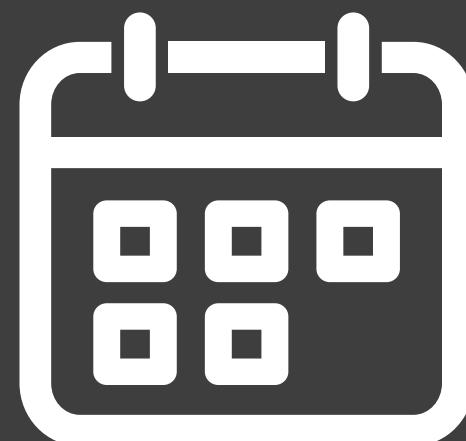
Motsamaisi wa Dituelo o tla boloka rekoto e e feletseng ya dituelo tse di ntshiwang tsa madi ano a phimolakeledi.

### FOROMO YA THEBOLO

Modirakopo o tla tlhokwa gore a saene foromo ya thebolo moo a thalasang gore o amogela maikarabelo a a farologaneng a Trust, ditlamo le babeledi ba modirakopo ba nang le one mo go ene, le gore o amogela tshwanele e e Trust e nang le yone go bona tshedimotseto e e mo thlaolang, go bereka ka yone le go senola dintlha dingwe ka yone.

### THULAGANYO YA GO RUTA KA TSA MADI

Maloko a Trust, fa go tshwanele e bile go le molemo, ba tla dira gore go nne le dithulaganyo tsa go ruta batho ka tiriso ya madi, dithulaganyo tse di tla thusang badiradikopo ba ba amogelang madi a phimolakeledi a ba a newang ke Trust eno, dithulaganyo tse di tla dirang gore gore ba rutwe ka tiriso ya madi, go akaretse le gore ba ye kwa dikokoaong tsa go thlabana bothale tse di rutang ka tiriso ya madi, fa go tshwanele go dira jalo.



### KOMITI YA DITHLOMAMISO YA TRUST

Go tshwanetseng ga nna le Komiti ya Dithlomamiso ya Trust e e nang le batho ba ba tshwanelegang gore ba sekaseka ditokumente dingwe le dingwe tsa dikopo tse di romelwang ka motlhankedi wa go dira dituelo le tse di tswang kwa Phaneleng ya go Thlomamisa Dilo tsa Bongaka gore ba bone gore a kopo nngwe le nngwe e e romelwang a a tshwanelega.

### MOTSAMAISI WA DITUelo

Motsamaisi wa Dituelo o na le boikarabelo jwa go thlomamisa gore motho mongwe le mongwe yo o duelwang madi ano ke ene tota, go thlomamisa gore ga go na madi ape a a ntshetswang dikopo tsa bogwenegwene.

### THULAGANYO YA GO THIBELA TSIIETSO

Maloko a Trust ba tshwanetseng go nna le thulaganyo ya go thibela tsietso e e dirilweng ka tsela ya gore e tla thibela gore madi ano a phimolakeledi a a ntshiwang ke Trust ga a dirisiwe ka tsela e e sa siamang.

### PHANELE YA BAGAKOLODI BA TSA BONGAKA

Maloko a Trust ba ka nna ba thoma phanele ya badiri ba tsa kalafi, e mo go yone go nang le bobotlana dingaga di le pedi tse di tshwanelegang tse di nang le kitse le matsemogelo mo go sekasekeng ga madi tse di amanang le mathata a go hema le malwetse a makgwafo a a bakilweng ke boemo jwa kwa tirong, gore ba ba thabe bothale ka dilo lefa e le dipe tse di amanang le tsa bongaka.

### BOTSAMAISI JO BO DIRANG TSHEKATSHEKO

Maloko a Trust a tshwanetseng go nna le thulaganyo ya go rarabolola dikgotlhagang, e mo go yone go nang le:

- Botsamaisi jo bo Dirang Tshkehatsheko mo Dilong tsa Kalafi; le
- Botsamaisi jo bo Sekaseka go Ntshiwa ga Ditifikeiti.

Fa go ka direga gore modirakopo a re ga a dumalane le se se mo Setifikeiting sa Tlhatlho bo ya Kalafi, Setifikeiti Kgotsa Lekwalo la Kitisio ya go sa Tshwanelele le a le newang, modirakopo yono a ka nna a romela ngongorego ya gagwe kwa Botsamaising jo bo Dirang Tshkehatsheko mo lobakeng lwa malatsi a le masome a mararo gore botha jono bo rarabololwe.

### MEEPO E E TSHWANELEGANG LE DIPAKA TSE DI DIRANG GORE MEEPO E E TSHWANELEGANG E BO E TSHWANELEGA

Dintlha tse di feletseng tsa dilo tse no di ka bonwa mo Thulaganyo F ya Lekwalo la Tumalano ya Semolao ya Trust.

## DITIRO TSA THERASTE

### DITIRO TSA MALOKO A TRUST

Maloko a Trust a tshwanetseng go diragatsa Maikarabelo a Trust a e leng go diragatsa se se mo Tumalanong eno go Ntshiwa ga Madi a Phimolakeledi le gore ba nye badiradikopo ba ba tshwanelegang madi a ba tshwanetseng go a newa. Ba tshwanetseng go dira dilo tse no ka madi le ka dithulaganyo tsothe le dipatlafalo tse di mo Lekwalong la Tumalano ya Semolao ya Trust ka bonako jo bo kgonegang.

Maloko a Trust a tshwanetseng go tlhama thulaganyo ya tsa madi le fa go dira ga yone e e tla latelwang ngwaga le ngwaga gore ba fithelele Maikaelelo a Trust. Thulaganyo eno e tshwanetseng go akaretse tse di latelang, mme e se gore ke tsone tse di:

- Papatsi le tshedimotseto;
- Kafa go bewa le go dirwa ga ditlhathobo tsa kalafi tsa batho ba go ka diregang gore e nne badiradikopo go tla dirwang ka gone;
- Go thlongwa le go nna le thulaganyo ya go dira ditlhathobo tsa kalafi;
- Go thlongwa le go bolokwa ga mafelo a Bathankedi ba go Dirra Dikopo ba tla kgonang go dira ditiro tsa bone mo go one;
- Go thloma le go nna le thulaganyo ya dikhomphiutha, le dithulaganyo tse dingwe tse di amanang le tiriso ya madi le botsamaisi ka kakareto.

### DIDIRISIWA, DITHULAGANYO LE BADIRI

Maloko a Trust ba tshwanetseng go thloma le go nna le thulaganyo e e thokegang, go akaretse le thulaganyo ya dikhomphiutha, e e tla thusang Bathankedi ba go Dirra Dikopo, Komiti ya Thlomamiso ya Trust le Motsamaisi wa Dituelo go diragatsa maikarabelo a bone a a mo Lekwalong leno la Tumalano ya Semolao ya Trust.

### DIAKHAONTO LE DIPEGO

Maloko a Trust a tshwanetseng go thomamisa gore go bolokwa direkoto tse di tshwanetseng tsa madi le direkoto tse dingwe malebana le dilo tse di amanang le Trust le tsamaiso ya Letlole la Trust e e tla bontshang sentle le ka tsela e e nepagetseng tsamaiso le kgwebu ya Trust e bile e tla kwala tiriso yothle ya madi ya Trust.

### AGM (POKANA YA NGWAGA LE NGWAGA YA MALOKO)

Maloko a Trust ba tshwanetseng go bitsa pokano ya maloko bobotlana gangwe mo lobakeng lwa dikgwedi di le thataro morago ga go khutla go nngwaga mongwe le mongwe wa tsa madi wa Trust.