

 **MEDIA RELEASE**

For immediate release

TSHIAMISO TRUST RESUMES BENEFIT MEDICAL EXAMINATIONS FOR MINeworkERS' SILICOSIS & TB CLAIMS IN ESWATINI

The Tshiamiso Trust is pleased to announce another round of Benefit Medical Examinations (BMEs) in eSwatini during May 2024, aimed at enhancing accessibility for eligible ex-mineworkers seeking compensation for silicosis or TB. The services will begin in Hlatikhulu on 6 - 10 May, moving to Manzini from 13-16 May, followed by Siteki on 17 May. After this, the BME mobile unit will move to Mbabane from 20-21 May and finish at Piggs Peak on 23 May 2024. The Trust has seen 3,817 claims lodged at TEBA offices in eSwatini in the past 3 years, with just under 800 ex-mineworkers currently awaiting BMEs in order for their claims to progress.

Dr Munyadziwa Kwindi, CEO of the Tshiamiso Trust emphasizes the significance of extending BME services in eSwatini, noting that this expansion aligns with the Trust's ongoing commitment to enhancing accessibility and ensuring that all eligible claimants receive the compensation they deserve.

He explains:

“BMEs play an important role in the claims process, serving as a crucial step to provide the necessary evidence of silicosis or tuberculosis. These examinations also assess the extent of lung damage resulting from these occupational diseases, which are compensated by the Trust.

Prior to the introduction of BME services, eSwatini claimants faced challenges with progressing to certification of their claims. With the launch of these services, we are witnessing a significant increase in claim certifications and the subsequent payment of eligible claims.

Since the Trust started conducting BMEs in the country in October 2023, the number of claims compensated has increased to 541 claims paid, valued at R49.9 million. The Trust has seen a spike in lodgements since the BME services in October 2023, and 1,317 new claims have been lodged.

As the Trust operates within a 12-year lifespan, it is imperative that we extend our outreach efforts to ensure that all potential claimants have the opportunity to lodge claims, undergo BMEs, and receive compensation if found eligible.

Following the BMEs, the Trust's Medical Certification Panel (MCP) carefully analyses the findings to ascertain the appropriate certification for each claim, thereby determining whether a claim is certified as eligible or ineligible for compensation. In the event that a claimant disagrees with the findings of MCP, they will be afforded an opportunity to dispute the results. In such cases, the findings will undergo review by the Medical Review Panel to ensure a thorough and fair assessment of the claim. This process is designed to uphold transparency and provide recourse for claimants who may have concerns about the initial certification.

Claimants should be aware that the compensation provided by the Trust is a one-time payment. Once eligible claimants receive compensation, they cannot make further claims, even if their condition worsens over time. However, according to the Trust Deed, if a claimant is initially deemed ineligible but later develops symptoms of silicosis, they are permitted to lodge one further claim.

Current or former mineworkers who have already lodged their claims will be contacted to schedule their appointments for medical examination, if required. However, the Trust is encountering challenges in reaching claimants to schedule BMEs or notify them about missing documents via SMS. We strongly encourage claimants to update their contact numbers if the contact numbers have changed after lodgement. This can be done by contacting our call back number, chatting to us on WhatsApp or Facebook, or visiting a TEBA office directly.”

BME services will be available as follows:

- 6 - 10 May 2024 – Hlatikhulu Government Hospital
- 13 - 16 May 2024 – Raleigh Fitkin Memorial Hospital, Manzini
- 17 May 2024 – Good Shepherd Catholic Hospital
- 20 - 21 May 2024 – Mbabane Male Wellness Centre
- 23 May 2024 – Piggs Peak Government Hospital

Mineworkers and families of deceased mineworkers who meet the criteria but have not yet lodged a claim are encouraged to do so now at the TEBA office in Mbabane or in Nhlanguano, or call Tshiamiso Trust can on 00 27 10500 6186. Please note that this is a call back number.

The broad criteria for eligibility with the Tshiamiso Trust are as follows:

- Mineworkers must have carried out risk work at one of the qualifying gold mines during the qualifying periods between 12 March 1965 and 10 December 2019 as indicated in schedule F of the Trust Deed.

- For **Tuberculosis Claimants**, mineworker must have been issued with a Certificate of Medical Finding, an Approved ODMWA Certificate or Tuberculosis Certificate.
 - Claimants must have undertaken Risk Work at a Qualifying Mine during a Qualifying Period; or if employment was terminated, had undertaken Risk Work at a Qualifying Mine during a Qualifying Period within the immediately preceding twelve calendar month period from the date of issue.
- OR
- For Silicosis Claimants, the claimant must have been living as at the Effective Date (10 December 2019), even if he/she dies thereafter; have a Silicosis Qualifying Disease; undertaken

Risk Work at one or more Qualifying Mines during Qualifying Periods; and is not one of the persons listed in Schedule D (Q(h)ubeka Trust or Bloem claimants) OR

- Where the mineworker is deceased, there must either be evidence that they died due to tuberculosis as the primary cause of death within a year of leaving the mine (where the mineworker died before 10 December 2019), OR evidence that they had silicosis or died from silicosis if it is a silicosis claim.

These are the broad eligibility criteria. It's important to note that there are 10 different compensation classes and each of these have different criteria. There is a lot to consider for each claim, including not only the severity of the lung damage but the period of time that the mineworker worked at a qualifying mine during a qualifying period. All of this impacts what a claimant can be compensated for, and how much compensation would be due.

Claimants are reminded to be careful of people impersonating the Trust or promising to help speed up their claims. Only the Tshiamiso Trust can process claims and this is a FREE service. The only cost that claimants may need to pay is R900 for the BME – ONLY IF they did less than 5 years risk work. However, this cost is paid back to them if they are found to have an eligible claim. Claimants must only share their documents with the officials at the lodgement offices.

“We remain incredibly grateful for the support of the government in eSwatini, the efforts of our local service providers, and the invaluable role that the ex-mineworkers’ associations are doing to assist us in mobilising this initiative,” concludes Kwindi.

Useful links:

To check eligibility to lodge a claim: <https://www.tshiamisotruster.com/status-check/>

To view the claims process: <https://www.tshiamisotruster.com/information/how-to-claim/>

To view daily progress of claims and payments:

<https://www.tshiamisotruster.com/information/progress-report/>

ENDS

About the Tshiamiso Trust

The Tshiamiso Trust was established to give effect to the settlement agreement reached between six mining companies and claimant attorneys in the historic silicosis and TB class action. The companies are African Rainbow Minerals, Anglo American South Africa, AngloGold Ashanti, Harmony Gold, Sibanye Stillwater and Gold Fields.

The Trust is responsible for compensating all eligible current and former mineworkers across southern Africa with permanent impairment due to silicosis or work-related TB, or their dependants where the mineworker has passed away.

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