Tshiamiso TRUST

IFOMU YOKUKHULULWA NGABAFAKI MABANGO
KUMANGALELWANO LWETHAYISISI EGAMENI LEQELA

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 e1- (enye) kwezi zilandelayo, njengoko kunokufuneka:)

OneNombolo yeSazisi saseMzantsi Afrika:		
Onenombolo yencwadana yokundwendwela:		*(Faka ilizwe ekhutshwe kulo)*
Onenombolo yomsebenzi/ yeshishini		
Inombolo yoqhagamshelwano:		
Idilesi yendawo ohlala kuyo:		

ndingenisa ibango kwiTrasti yeTshiamiso:

(phawula enye kwezi zilandelayo)

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 ETYALENI NGAPHANDLE KOKO KUMAYELA NOXWEBHU OLUSEMTHETHWENI LWESIVUMELWANO LWETRASTI

1	Ndiyavuma ukuba ndibophelelekile kwintlawulo yesivumelwano kunye nemiqathango emiselwe kuXwebhu olusemThethweni lweSivumelwano lweTrasti yeTshiamiso (**uXwebhu olusemThethweni lweSivumelwano lweTrasti**), isivumelwano esikhoyo sentlawulo (**iSivumewano seNtlawulo**) esiphathelene nokusekwa kweTrasti yeTshiamiso (**iTrasti**), kunye nesigwebo (**iSigwebo**) esiqinisekisa iqela laBafaki maBango phantsi kwenombolo yetyala 2018/44060 (i-Saflii citation: [2019] ZAGPJHC 26) 260 Julayi 2019)).
2	Ndiyavuma kananjalo ukuba andinabango ngokubhekisele kwiTrasti, abasebenzi bayo kunye nabeekontraki beqela lesithathu, okanye abathenjwa bayo (**abaThenjwa**), 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 kwabaThenjwa 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 olundazisayo, kuquka (kungamiselwanga 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, kungamiselwanga mda, kuwo naphakathi kwawo, amaqela kwiSivumelwano seNtlawulo, kunye nabo baManyene nabo, njengoko kuchaziwe kuXwebhu olusemThethweni lweSivumelwano) kwaye ulwazi olunjalo kwiimeko ezifanelekileyo lunokuhlala 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 (kungamiselwanga 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, ipenshini okanyeiprovidenti fandi, ulwazi olundazisayo lobuqu olumalunga nam (kuquka, kungamiselwanga 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 abaThenjwaokanye abonyulwa babo baqhagamshelana naye ngokuphathelene noku, ukuba balunike ulwazi olunjalo kubo.

6. Ndiyaqonda kwaye ndivuma ukuba iTrasti yeTshiamiso kunye nabonyulwa bayo kunokufunwa ukuba baqulunqe kwaye baxele kulo naliphi iqela kwiNkqubo yoMangalelwano eNkundleni Egameni leQela, iinkcukacha zam zobuqu ezinokufunwa kulandelwa umyalelo wenkundla okanye ukuze kufunyanwe okuthile kwiinkqubo ezinjalo.

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

8. Ngaphandle kokuthintelwa yimvume enikezwe ndim ngokwemimiselo yomhlathi wesi4- ukuya kowesi7-ngasentla, ndiyayiqonda into yokuba ndinelungelo, ngokomthetho ofanelekileyo, wokurhoxisa imvume yam nangali phi na ixesha ngesisaziso sembalelwano esiya kwiTrasti yeTshiamiso.

9. Ndiyaqonda kwaye ndivuma ukuba, ukuba ndirhoxisa imvume yam njengoko kuchaziwe ngasentla;

a. Zonke iinkcukacha zam zobuqu ezisetyenzwe yiTrasti yeTshiamiso ngaphambi koko kurhoxiswa, ziya kuthathwa njengezisetyenzwe ngokusemthethweni; kwaye

b. Oko kurhoxiswa kuya kukhokelela kwiTrasti yeTshiamiso ingakwazi ukuqhubeka nokusebenza ibango lam kwaye andisayi kukwazi ukusebenzisa ilungelo lam lokwenza ibango lazo naziphi na iiBhenefithi ezivela kwiTrasti yeTshiamiso.

10. Ndiyaqonda ukuba ngaphandle kokuthintelwa lilungelo lam lokurhoxisa imvume yokusetyenzwa kweeNkcukacha zoBuqu zam, iTrasti yeTshiamiso isenokunyanzeleka ukuba igcine iinkcukacha zam zobuqu ukuthobela izibophelelo ezibekwa kuyo ngumthetho ofanelekileyo.

UKUBA UNEMINYAKA ELI18- OKANYE NGAPHEZULU

Ndineminyaka yobudala eli18- okanye ngaphezulu. **Ndiyaziqonda iziphumo zomthetho zokusayina olu xwebhu.** Ndiyaqonda ukuba olu xwebhu lubhalelwe ukuba lube banzi kwaye luquke konke njengoko kuvunyelwe yimithetho yoMzantsi Afrika. Ndiyavuma ukuba xa nayiphi inxenye ithathwa ngokuba ayikho semthethweni okanye ayinakunyanzeliswa, ndiya kuqhubeka nokubopheleleka ngokwale miqathango iseleyo. Ndilufundile olu xwebhu, kwaye ndilusayina ngokukhululekileyo. Azikho ezinye iinjongo eziphathelene nesiphumo somthetho solu xwebhu ezichaiweyo kum.

IUtyikityo loMfaki Bango oHllawulwayo

UKUBA NGABA UMFAKI BANGO OHLAWULWAYO UNGAPHANTSI KWEMINYAKA ELI18- UBUDALA

Ndingumzali kunye/okanye umgcini osemthethweni woMfaki Bango oHlawulwayo. **Ndiyaziqonda iziphumo zomthetho zokusayina olu xwebhu egameni loMfaki Bango oHlawulwayo.** Ndiyaqonda ukuba olu xwebhu lubhalelwe ukuba lube banzi kwaye luquke konke njengoko kuvunyelwe yimithetho yoMzantsi Afrika. Ndiyavuma ukuba xa nayiphi inxenye ithathwa ngokuba ayikho semthethweni okanyeayinakunyanzeliswa, mna (kunye noMfaki Bango oHlawulwayo) ndiya kuqhubeka nokubopheleleka ngokwale miqathango iseleyo. Ndilufundile olu xwebhu, kwaye ndilusayina ngokukhululekileyo. Azikho ezinye iinjongo eziphathelene nesiphumo somthetho solu xwebhu ezichaiweyo kum.

Utyikityo lomzali/umgcini woMfaki Bango oHlawulwayo