Tshiamiso TRUST

IFOMU LOKUKHULULA NGUMFAKISICELOESICELWENI ESIHLANGANYELWE SOKUKHOKHELWA NGE-SILICOSIS

SICELA UFUNDE NGOKUCOPHELELA – LOKHU KUNOMTHELELAKUMALUNGELO 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 eziyingxenye yalesi sinxephezelo sokukhokhelwa sakho ngokuphathelene ne-silicosis noma Isifo Sofuba. Lezi yizinkampani eziyingxenye yesivumelwano sokunxephezela: I-African Rainbow Minerals, i-Anglo American South Africa, i-AngloGold Ashanti, i-Gold Fields, i-Harmony neSibanye Stillwater, kanye nezinye zezinhlangano 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 ingathwetshulwa 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 YOMFAKISICELO YESINXEPHEZELO (KUHLANGANISA ABAFAKISICELO ABANGABONDLIWA)

Mina, osayine ngezansi,

Faka Igama Eligcwele:	

(Gcwalisa oku1- (okukodwa) kokulandelayo, uma kusebenza:)

Inombolo Kamazisi yaseNingizimu Afrika:		
Inombolo yephasipothi:		*(Faka izwe ekhishwe kulo)*
Inombolo yokuqashwa/yemboni:		
Inombolo yocingo:		
Ikheli lomgwaqo:		

ngifaka isicelo sokukhokhelwa kuTshiamiso Trust:

(Thikha okukodwa kokulandelayo)

1.	Ngokwami njengomsebenzi wasemayini yegolide owenza Umsebenzi Oyingozi	
2.	Njengomondliwa womvukuzi wasemayini yegolide osewashona owayenza Umsebenzi Oyingozi	
3.	Njengowengamele ukwaba ifa lomvukuzi wasemayini yegolide osewashona owayenza Umsebenzi Oyingozi	
4.	Njengomzali kanye/noma umnakekeli womondliwa oyingane yomvukuzi owayesebenza emayini yegolide osewashona owayenza Umsebenzi Oyingozi	

UKUKHULULWA ECALENI NGAPHANDLE UMA KUHAMBISANA NEMIGOMO YE-TRUST DEED

1	Ngiyavuma ukuthi ngiboshwe yisivumelwano kanye nemigomo yeTshiamiso Trust Deed (**iTrust Deed**), isivumelwano esiyisisekelo sokukhokha (**iSivumelwano Sokukhokhelwa**) esaholela ekusungulweni kweTshiamiso Trust (**iTrust**), kanye nesinqumo esigunyaza ukukhokhelwa kwaBafakizicelo ngaphansi kwenombolo yecala ethi 2018/44060 (Saflii citation: [2019] ZAGPJHC 26) 260 Julayi 2019)).
2	Ngiyavuma futhi ukuthi anginaso isicelo sokukhokhelwa yi-Trust, abasebenzi baso kanye nosonkontileka bangaphandle, noma abaphathiswa bayo (**Abaphathiswa**) , ngaphandle uma kushiwo ngokucacile kuTrust Deed.
3	Ngiyavuma futhi ukuthi anginaso isicelo sokukhokhelwa noma icala engingalifaka lanoma yiluphi uhlobo elibhekiswe kunoma yiliphi iqembu lesivumelwano Sokukhokhelwa isinxephezelo noma iNxusa Labafakisicelo Sokukhokhelwa (njengoba kuchaziwe kuTrust Deed) elisuselwa emigomweni yeTrust Deed noma nanoma yikuphi ukwehluleka kwabaPhathiswa ukuthobela imigomo yeTrust Deed noma ukusingatha izindaba ze-Trust ngendlela okufanele benze ngayo.

UKUVUMELANA NOKUQOQWA NOKUGCINWA KOLWAZI LOMUNTU SIQU

4. Ngiyaqonda futhi ngiyavuma ukuthi iTshiamiso Trust kanye nabantu ebaqokile kungadingeka ukuthi baqoqe futhi bacubungule imininingwane engigagulayo, kubandakanya (futhi akugcini lapho) imininingwane yami ekhethekile yomuntu siqu (njengoba kuchaziwe kuMthetho Wokuvikelwa Kolwazi Lomuntu Lomuntu Siqu, 2013), nokuthi imininingwane yomuntu uqobo, ngezikhathi ezithile, ingabelwa abantu abathile ngokwe-Trust Deed neSivumelwano Sokukhokhelwa (esingagcini nje ngokufaka izinhlangano eziseSivumelwaneni Sokukhokhelwa, kanye namaNxusa azo, njengoba kuchaziwe kuTrust Deed) kanye nalolo lwazi lungatholakala ngaphandle kwaseNingizimu Afrika ezimweni ezifanele. Ngiyaqonda futhi ngiyavuma ukuthi Tshiamiso Trust nabantu ebaqokile bayoba nelungelo lokudlulisela imininingwane yami ezindaweni ezinjalo ezingaphandle kwaseNingizimu Afrika, futhi basebenzise imininingwane yami kulezo zindawo.

5. Ngiyaqonda futhi ngiyavuma ukuthi Tshiamiso Trust nabantu ebaqokile kungadingeka ukuthi basebenzise, badalule futhi baqoqe kuzizindalwazi zezimboni, izinhlangano zezezikweletu nakwezinye izizindalwazi, kubandakanya (kodwa kungagcini nje) izizindalwazi ze-Medical Bureau for Occupational Diseases (MBOD), i-Compensation Commission for Occupational Diseases (CCOD), abaqashi baphambilini kanye/noma izikhwama zempesheni noma zezibonelelo, imininingwane engangigagula ngokuqondile (kufaka phakathi, ngaphandle komkhawulo, imininingwane yezokwelapha nolunye ulwazi lomuntu siqu olukhethekile, njengoba kuchaziwe kuMthetho Wokuvikelwa Kolwazi Lomuntu Siqu, 2013), futhi badalule lolo lwazi ezinhlakeni zeSivumelwano Sokukhokhelwa, futhi ngalokhu ngigunyaza noma yimuphi umuntu abaPhathiswa noma abantu abaqokiwe abaxhumana naye maqondana nalokhu ukuze abanikeze lolo lwazi.

6. Ngiyaqonda futhi ngiyavuma ukuthi iTshiamiso Trust nabantu ebaqokile kungadingeka ukuthi bahlanganise futhi badalule kunoma yiliphi iqembu Ecaleni Elihlanganyelwe imininingwane yami yokuxhumana engadingeka ngenxa yomyalelo wenkantolo noma engatholakala ekuqulweni kwalelo cala.

7. Ngiyaqonda futhi ngiyavuma ukuthi iTshiamiso Trust nabantu ebaqokile (okuhlanganisa, kodwa okungagcini nje ngeSikhulu Sokufakwa Kwezicelo Zenkokhelo zeTrust) bangaqoqa futhi bacubungule imininingwane engigagulayo, ehlanganisa (kodwa engagcini nje) ngolwazi lwezigxivizo zeminwe.

8. Naphezu kwemvume engiyinikeze ngokwesigaba 4 kuya kwesesi7- ngenhla, nginelungelo ngokuvumelana nomthetho osebenzayo, lokuhoxisa imvume yami kunoma yisiphi isigaba ngokubhalela iTshiamiso Trust.

9. Ngiyaqonda futhi ngiyavuma ukuthi uma ngihoxisa imvume yami njengoba sekushiwo ngenhla;

a. Lonke ulwazi lwami lomuntu siqu olucutshungulwe yiTshiamiso Trust ngaphambi kwalokho kuhoxa, luzothathwa ngokuthi lucutshungulwe ngokusemthethweni; futhi

b. Lokho kuhoxa kuzoholela ekutheni iTshiamiso Trust ingakwazi ukuqhubeka nokucubungula isicelo sami futhi ngeke ngikwazi ukusebenzisa ilungelo lami lokufuna noma yimiphi Imihlomulo kuTshiamiso Trust.

10. Ngiyaqonda ukuthi naphezu kwelungelo lami lokuhoxisa imvume yokucutshungulwa Kolwazi Lwami Lomuntu Siqu, iTshiamiso Trust ingase iphoqeleke ukuthi igcine ulwazi lwami siqu ngokuvumelana nezibopho enazo ngokomthetho osebenzayo.

UMA UNEMINYAKA YOBUDALA EYI - 18 NOMA NGAPHEZULU

Ngineminyaka yobudala engu18- noma ngaphezulu. **Ngiyayiqonda imiphumela yezomthetho yokusayina le dokhumenti.** Ngiyakuqonda ukuthi le dokhumenti ibhalwe ngokubanzi futhi ibandakanya konke njengoba kuvunyelwe ngokomthetho yimithetho yaseNingizimu Afrika. Ngiyavuma ukuthi uma noma iyiphi ingxenye itholakala ingavumelekile noma ingaphoqeleleki, ngizoqhubeka nokuboshwa yimigomo esele. Ngiyifundile le dokhumenti, futhi ngiyisayina ngokukhululeka. Azikho ezinye izethulo eziphathelene nomphumela wezomthetho zale dokhumenti enziwe kimi.

Isiginesha Yomfakisicelo
Sokukhokhelwa Isinxephezelo

UMA UMFAKISICELO SOKUKHOKHELWA ISINXEPHEZELO ENGAPHANSI KWEMINYAKA YOBUDALA EYI - 18

Ngingumzali kanye/noma umnakekeli osemthethweni woMfakisicelo Sokukhokhelwa Isinxephezelo. **Ngiyayiqonda imiphumela yezomthetho yokusayinda le dokhumenti egameni loMfakisicelo 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 ingaphoqeleleki, mina (kanye noMfakisicelo Sokukhokhelwa Isinxephezelo) sizoqhubeka nokuboshwa yimigomo esele. Ngiyifundile le dokhumenti, futhi ngiyisayina ngokukhululeka. Azikho ezinye izethulo eziphathelene nomphumela wezomthetho zale dokhumenti enziwe kimi..

Isiginesha yomzali/umnakekeli woMfakisicelo
Sokukhokhelwa Isinxephezelo