

**MINISTRY**

**MINERAL RESOURCES AND ENERGY**

**REPUBLIC OF SOUTH AFRICA**

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**Memorandum from the Parliamentary Office**

**National Assembly: 589**

Please find attached a response to Parliamentary Questionfor **written reply** asked **Prof C T Msimang (IFP) to ask the Minister of Mineral Resources and Energy:**

**Mr D. Msiza**

**Chief Inspector of Mines**

**8 March 2021**

Recommended/ Not Recommended

**Adv. T.S Mokoena**

**Director General: Department of Mineral Resources and Energy**

**………………/………………/2021**

Approved / Not Approved

**Mr. S.G Mantashe**

**Minister of Mineral Resources and Energy**

**………………/………………/2021**

**589. Prof C T Msimang (IFP) to ask the Minister of Mineral Resources and Energy:**

Whether, with reference to a celebrated settlement agreement more than two years ago after the landmark class-action suit against nine gold mining companies that were ordered to compensate miners who suffered from insidious respiratory diseases like silicosis, he intends to intervene to ensure that the miners who still have not been paid out are paid out; if not, why not; if so, what are the full details outlining time lines? NW645E

**Reply**

The Department of Mineral Resources and Energy is responsible for the regulation of the mining industry through the Mine Health and Safety Act (**MHSA**), No 29 of 1996. The Department of Health (DoH) governs the compensation of the mine employees diagnosed with Occupational Lung Diseases through Occupational Diseases in Mines and Works Act (**ODMWA**) 78 OF 1973 regulated by the Medical Bureau for Occupational diseases (**MBOD**).

Tshiamiso trust has been established to carry out the terms of the settlement agreement reached between amongst six mining companies and claimants to compensate current and ex-mineworkers for silicosis and TB. The trust works together with the MBOD in certification of mineworkers who have lodged claims. The certification process to identify ex-mineworkers with silicosis was apparently hampered by Covid-19 pandemic in 2020 as lung function tests could not be carried out because of the risk of increasing exposure to COVID-19 infection. Outreach programmes are reported to be carried out to cater for outstanding compensations in areas like the Eastern Cape.