

OPT OUT NOTICE

You may be eligible to claim compensation if you are currently or have been a GOLD MINERWORKER in South Africa, at any time after 12 March 1965, and have been exposed to silica dust or you have contracted silicosis or tuberculosis (“TB”) OR you are A DEPENDANT (for example, the wife, child or life partner) of such a gold mineworker who has since passed away, PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR RIGHTS.

THE SETTLEMENT

On 3 May 2018, six mining companies - African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony and Sibanye-Stillwater and some of their affiliates (“the participating gold mining companies”) reached a conditional settlement to pay compensation to eligible gold mineworkers and the dependants of such mineworkers who have passed away. The proposed settlement will settle the claims against the participating gold mining companies arising from the class action that was initiated before the High Court for:

- the harm and loss suffered by mineworkers who contracted silicosis and/or TB during their work on certain gold mines in South Africa, and
- the harm and loss suffered by the dependants of mineworkers who died of these diseases.

The settlement was approved by the High Court in Johannesburg on 26 July 2019.

WHO IS INCLUDED IN THE SETTLEMENT?

You are a class member, and will be included in the settlement, if you meet all the requirements of any of the four classes:

Class 1:	All people: <ol style="list-style-type: none"> who as at the date when the settlement agreement comes into force, have undertaken risk work. In terms of the settlement agreement, risk work means “risk work” as defined in the Occupational Diseases in Mines and Works Act, 1973 or any of the following work: <ol style="list-style-type: none"> work in the underground workings of a gold mine; work in a laundry where clothing of underground mineworkers is washed; work on a slimes dam of a gold mine; work in an assay laboratory of a gold mine where the composition of gold bearing ore is analysed, and where the mass of respirable dust from personal sampling is determined; work in a metallurgical plant of a gold mine, including crushing, milling, transporting and smelting of ore; and work at conveyor belt operations which are undertaken to convey broken rock from the underground operations of a gold mine to surface; who on or before the date when the settlement agreement comes into force, have contracted silicosis or have been exposed to silica dust; who undertake or have undertaken risk work on one or more of the mines listed in Annexure A of this notice after 12 March 1965; and who did not settle their claims in previously finalised settlements with Anglo American South Africa Limited and AngloGold Ashanti Limited on 14 March 2016 and Anglo American South Africa Limited on 19 September 2013, respectively.
Class 2:	The dependants of any of the persons in Class 1 above who are deceased as at the date when the settlement agreement comes into force.

Class 3:	All people: <ol style="list-style-type: none"> who as at the date when the settlement agreement comes into force have undertaken risk work; who on, before or after the date when the settlement agreement will come into force have contracted Tuberculosis; and who undertake or have undertaken risk work, after 12 March 1965, on one or more of the gold mines listed in Annexure A of this notice.
Class 4:	The dependants of any of the persons in Class 3 above who are deceased as at the date when the settlement agreement comes into force.

WHAT IS THE EFFECT OF THE SETTLEMENT?

The settlement is not yet in force because some of its conditions have not yet been met. If the conditions are met, the participating gold mining companies will establish a fund, called the TSHIAMISO TRUST.

If the settlement agreement comes into force:

- The participating gold mining companies will pay agreed contributions to the Tshiamiso Trust and the process of paying compensation can start.
- All class members can **submit a claim to the Tshiamiso Trust** for monetary compensation, except for those class members who opt out of the settlement.
- Details of how to submit a claim to the Tshiamiso Trust will be published in the media and on the website www.silicosissettlement.co.za.
- The Tshiamiso Trust will pay compensation to **eligible claimants**. An eligible claimant is a person who is a member of any of the classes and who meets the requirements of the Tshiamiso Trust to receive monetary compensation.
- Class members must submit a completed claim form to the Tshiamiso Trust and may have to undergo a medical examination to determine if they are eligible claimants.

Once the settlement agreement is in force, eligible claimants will be entitled to receive a once-off payment of between R10 000 and R250 000, depending on the nature and seriousness of the disease. In certain exceptional circumstances, this amount may be increased to up to R500 000.

The full terms of the final settlement as well as the Court’s decision approving the settlement are available at www.silicosissettlement.co.za or can be obtained from the Class Lawyers (**contact details below**).

YOU DO NOT NEED TO PAY ANYONE TO ASSIST YOU TO MAKE YOUR CLAIM

WHAT MUST I DO TO REMAIN PART OF THE SETTLEMENT?

IF YOU ARE A CLASS MEMBER AND YOU WISH TO BE PART OF THE SETTLEMENT, NO ACTION IS NECESSARY AT THIS TIME.

While you do not have to do anything to participate in the settlement, if you wish to send your contact details expressing your interest in participating, you may do so by completing an information form or registering your interest at this website www.silicosissettlement.co.za.

OPTING OUT OF THE SETTLEMENT

IF YOU ARE A CLASS MEMBER, THE SETTLEMENT IS AUTOMATICALLY BINDING ON YOU UNLESS YOU TAKE STEPS TO OPT OUT. If you do not want to be part of the settlement, or you want the right to pursue your claim individually in court, then you must take steps to opt out of the settlement.

To opt out of the settlement, you must **COMPLETE AND SIGN EITHER FORM A; FORM B; FORM C OR FORM D (WHICHEVER APPLIES TO YOU) AND DELIVER IT, TOGETHER WITH THE REQUIRED SUPPORTING DOCUMENTS (MARKED FOR THE ATTENTION OF “SILICOSIS SETTLEMENT”), TO THE INDEPENDENT AUDITOR SNG Grant Thornton** before 24 November 2019.

The form must be signed before a commissioner of oaths. Every police station in South Africa has a commissioner of oaths.

TO OPT OUT, DELIVER YOUR OPT-OUT FORM AND THE SUPPORTING DOCUMENTS BY HAND OR BY FAX OR BY EMAIL USING THE FOLLOWING DETAILS: SNG Grant Thornton

Address for hand delivery: 20 Morris Street East, Woodmead, Johannesburg 2191
 Fax number: +27 11 234 0933
 Address for delivery by email: silicosissettlement@sng.gt.com

You cannot opt out by phone but you can call the numbers below for more information on opting out.

Each class member seeking to opt out must fill out and sign a separate opt out form.

If you deliver an opt-out form, the Independent Auditor may contact you for further information.

THE OPT-OUT FORMS ARE AVAILABLE AT www.silicosissettlement.co.za OR THEY CAN BE OBTAINED FROM THE CLASS LAWYERS OR THE CLASS LAWYERS WILL DIRECT YOU TO THE NEAREST PLACE WHERE YOU CAN FIND THE OPT-OUT FORMS (CONTACT DETAILS BELOW).

* PLEASE MAKE SURE THAT YOU COMPLETE THE CORRECT OPT-OUT FORM. IF YOU NEED ASSISTANCE IN THIS REGARD, USE THE INFORMATION SERVICES BELOW.

FOR MORE INFORMATION ON THE CLAIMS PROCESS, THE SETTLEMENT AGREEMENT AND OPTING OUT:

- Visit www.silicosissettlement.co.za;
- Call the toll-free Call Centre at 0801 000 240 or 0800 110 110. The Call Centre will operate at no cost to persons calling from within South Africa;
- Send a “please call me” to the following number 072 557 8077 or 079 835 7179.

You may also contact the Class Lawyers at:

<p>Richard Spoor Incorporated Attorneys</p> <p>Tel. +27 (0)11 482 6081; Fax. +27 (0)11 482 1419 info@rsinc.co.za; P.O. Box 303 Parklands, 2121</p> <p>Physical address: Eton Building, Sherborne Square 5 Sherborne Road Parktown, Johannesburg</p>	<p>Abrahams Kiewitz Incorporated</p> <p>Tel. +27 (0)21 914 4842 Fax. +27 (0)21 914 1455 classaction@ak.law.za; P.O. Box 3048, Tygervalley, 7536, Cape Town</p> <p>Penthouse, 6th Floor, Imperial Terraces, Carl Cronje Drive, Tyger Waterfront, Tygervalley, Cape Town</p>	<p>Legal Resources Centre</p> <p>Tel.: +27 (0)11 836 9831 Fax.: +27 (0)11 834 4273 silicosisclass@lrc.org.za P.O. Box 9495, Johannesburg, 2000</p> <p>Bram Fischer Towers, 16th Floor, 20 Albert Street, Marshalltown, Johannesburg</p>
---	--	--



<p>Annexure A: Participating mines</p> <p>SA Land Daggafontein East Daggafontein Elandsrand Deelkraal (also called Elandskraal) Kusasaletsh Western Holdings (1, 2, 3, 4, 6, 7) (ARIMGold) Matjhabeng (Western Holdings other 4 shafts Kudu, Nyala, Sable, Eland which were former Freddie's and Free State Geduld shafts) Saaiplaas 2,3 Saaiplaas 4,5 (Masimong) (FreeGold 3) Free State Geduld</p>	<p>Free State Cons FreeGold 2 and 4 Freddie's 7 and 9 (to Kades Barnea cc, Pamodzi, Target mine) Freegold 2, 4 (Tshepong, Phakisa) President Brand President Steyn Steyn 1,2 (to Kades Barnea, Pamodzi, Bambanani) Steyn 3,4 (FreeGold 1, then Bambanani) Brand 1, 2, 3, 5 (Steyn 5 to 8) HJ Joel / Joel Western Reefs (merged with Vaal Reefs) Vaal Reefs (1, 3, 4, 5, 6, 7) Vaal Reefs 2 Vaal Reefs 8 (Great Noiigwa)</p>	<p>Vaal Reefs 9 (Kopanang) Vaal Reefs 10 (Tau Lekoa) Vaal Reefs 11 (Moab Khotsong) Western Deep Levels Mponeng (South Mine WDL 1) Tau Tona (East Mine WDL 3) Savuka (West Mine WDL 2) Steyn 3,4 Evander (incl Kinross, Leslie, Bracken and Winkelhaak mines) Randfontein Estates Doornkop Cooke 1, 2 and 3 (Rand Uranium) Cooke 4 (Ezulwini) Unisel Harmony mine</p>	<p>Merriespruit Hartbeesfontein Loraine (Shafts 1, 2 and 3) Zandpan Virginia mine Village Main Reef Western Areas (to South Deep) South Deep Beatrix (including Oryx) Oryx (to Beatrix) Driefontein (including East Driefontein, West Driefontein and Driefontein Cons) Kloof (including Leeudood from 1 Jan 1993, Libanon and Venterspos) St Helena (Beisa section)</p>
--	---	--	---

