



Asbestos Relief Trust

2020 Chairperson's Report

The Trustees of the Asbestos Relief Trust take this honour in welcoming you all to the 2020 AGM of the Asbestos Relief Trust.

The Asbestos Relief Trust was established in 2003 with a 25-year lifespan, with a possibility to extend it by another 5 years (until 2033).

The latest actuarial valuation indicates that the Trust would be solvent to continue until 2028, and it will still have claimants for this period.

The Trust started with R401 million from the founders, it has paid out R394 million in compensation as of 29th February 2020 and still has R243 million available as at 29th February 2020.

During the year under review, the trustees paid a total of R27 million to 125 qualifying claimants (compared to R23 million to 125 qualifying claimants in the previous financial year).

2020 Payments to Qualifying Claimants		
Compensation Category	Number	R-Amount
ARD1	61	R3 912 513
ARD2	11	R1 045 972
ARD3	2	R698 872
ARD4	15	R8 065 989
No ARD/ARD1	6	R596 236
No ARD/ARD2	0	R0
No ARD/ARD3	2	R917 682
No ARD/ARD4	16	R6 801 348
ARD1/ARD3	3	R971 582
ARD1/ARD4	6	R2 745 854
ARD2/ARD3	1	R151 920
ARD2/ARD4	2	R885 468
	125	R26 793 436

The Trust compensated 39 mesothelioma claimants; 24 of whom were progressions. There were 14 environmental and 111 occupational claims for this financial year.

As at 29th February 2020, the trustees had also approved R9 million for payment to 275 qualifying claimants. These are pending payments as we continue to follow-up on outstanding payment documentation.

Since inception the Trust has paid a total of R385 million to 4 601 qualifying claimants.

We have received 344 new claim enquiries for this financial year. The Trust continues to trace claimants who have registered enquiries but who have then not pursued their claims further. Due to important information that is missing, the trust cannot process these potential claims further.

The trustees agreed to increase the payments to beneficiaries by 6%, effective from 1 March 2019.

The cost of administering the trust for the year under review was R11,5 million, compared to R11 million in the previous financial year. The increase in administrative costs are due to:

- An increase in medical evaluations brought on by inter alia, an increase in eSwatini claims and other claim registrations,
- An increase in the transportation of claimants to their medicals due to an inadequate and non-existent public infrastructure.

The Trust Deed provides that up to 10% of the interest accruing on Trust investments may be applied towards asbestos related social projects. The Trust has increased the spend on social projects by 38% and includes the following projects undertaken during the year:

- The funding of a palliative care services based in Kuruman. This service is provided by Sr Phemelo Magabanyane and Sr Gomolemo Moetsi. This service is vital for cancer sufferers and their families.

- The Trustees continued their support of the Asbestos Interest Group (AIG) with their grass roots awareness and advocacy work in the greater Kuruman area.
- The Trustees provide financial and management support (through Sr Magabanyane) to the Cancer Charity Workers in Kuruman.
- The sponsoring of prosecution services continues to be a vital service in Kuruman.
- There are currently two Neil White Bursary recipients for the 2019 and 2020 financial years.

The Asbestos Relief Trust continues to provide administration services to the Kgalagadi Relief Trust under our existing agreement. The two trusts collaborate extensively on social projects and communication matters affecting both trusts.

I am grateful for the efficient support I receive from my fellow Trustees and the support the Trustees receive from our staff, all service providers, and institutions.

2019 saw the outbreak of the COVID-19 pandemic and South Africa declared a national state of disaster on 27 March 2020. The trust has continued to fully operate under lockdown regulations and has continued compensating beneficiaries during this time.

JJ de Bruyn

November 2020

Terminology and Definitions	
Term	Definition
ARD	Means Asbestos Related Disease. ARD means mesothelioma, asbestos-related lung cancer, asbestosis and/or asbestos-related pleural thickening but does not include asymptomatic pleural plaques.
ARD 1	Means asbestos related pleural thickening and/or asbestosis, with mild to moderate (>10% <40%) lung function impairment.
ARD 2	Means asbestos related pleural thickening and/or asbestosis, with severe (>40%) lung function impairment.
ARD 3	Means asbestos related lung cancer.
ARD 4	Means mesothelioma.
Claim	Refers to an application for compensation with the Trust where all the criteria have been met.
Claimant	Refers to an individual who has lodged an application for compensation with the Trust and who has met all the criteria to receive compensation.
Compensable	Refers to a claim that has met both the administrative and medical criteria.
Medical Information Outstanding	Means that a Medical Letter has been issued for the potential claimant to attend a medical consultation for the purposes of establishing whether he/she has a compensable disease, but either the individual has not attended the consultation or has attended the consultation but the medical records (files) have not yet been received by the Trust's Medical Office. A diagnosis cannot therefore be made at this stage.
Dual ART&KRT /	Refers to a claim or enquiry, where the individual was exposed to asbestos from operations covered by both the ART and the KRT and qualifies to pursue a claim with both Trusts.
Enquiry	Refers to an attempt to lodge a potential claim with the Trust where the criteria for receiving compensation have not yet been confirmed.
Not Compensable	Refers to a claimant who may have met the administrative criteria but has not been diagnosed with an asbestos related disease as defined within the Trust Deed and, therefore does not qualify to be compensated.
Non-Qualifying	Refers to an enquiry where the potential claimant does not meet the administrative criteria to claim, including that he/she was not exposed to asbestos from a qualifying operation and, or does not meet the non-medical criteria for a dependant's claims.
Medical Still Investigating	Means the Specialist Occupational Medical Panel, an independent panel of occupational medicine experts who read the medical files and determine whether the potential claimant meets the medical criteria for compensation, has not yet been able to confirm the presence or absence of an ARD.
Pending Payment	Refers to a claim that has been approved for payment but not paid because of outstanding payment documents which may include banking details and, or, the Release & Discharge form.
Potential Claimant	Refers to an individual who has lodged an enquiry with the Trust but who has not yet established whether his/her claim meets all the criteria to receive compensation.
SOMP	Means the Specialist Occupational Medical Panel, an independent panel of occupational medicine experts who read the medical files and determine whether the potential claimant meets the medical criteria for compensation.