

Mining houses appeal silicosis class action suit

The mining companies that make up the occupational lung disease (OLD) working group argued their individual applications to appeal against the class certification judgment for miners with silicosis.



© Satit Umong [123RF.com](https://www.123RF.com)

Although none of them are willing to admit liability for the claims, the working group, comprising African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony and Sibanye Gold, still believes that “achieving a mutually acceptable comprehensive settlement which is both fair to past, present and future employees, and sustainable for the sector, is preferable to protracted litigation”.

Should the class action go ahead and the mining companies were forced to make reparation, it could literally put them out of business. In the meantime they have been coming to agreements with various groups of claimants outside of the class action to settle.

The South Gauteng High Court granted the mining companies leave to appeal against a finding amending the common law in respect of general damages claims. However, it refused leave to appeal on the certification of silicosis and TB classes. The application for leave to appeal arose from a judgment delivered on 13 May 2016. The companies are considering the judgment.