

INTRODUCING THE MESO TRUST

Clause 11 of the Trust Deed provided that the Kgalagadi Relief Trust (KRT) should endure for a period of 20 years from the date of its registration, provided that the trustees, having regard to the primary objects set out in clause 4 of the Trust Deed and the interests of initial beneficiaries and any residual beneficiaries, could reduce or extend the life of the KRT by a period of five years.

Considering the overall decline in the number of claims, the declining proportion of occupational (as opposed to environmental) claims, the increasing proportion of mesothelioma claims (as opposed to asbestosis claims, which are typically associated with occupational exposure), and the increase in the administrative costs per claim, the trustees have resolved to dissolve the trust, effective end-October 2025.

By agreement with the respective boards of trustees, the residual assets and income of the trust have been awarded to the “Meso Trust”. At this stage the quantum is not yet clear, but it will hopefully be in the region of R30 million.

The Meso Trust (IT 162/2024) has been registered with the Master of the High Court as a charitable trust. Its principal object is the promotion of the welfare of persons or communities detrimentally affected by asbestos mining in the Northern Cape Province, a mesothelioma hot spot and the operational location of the founder of the KRT, the Swiss Becon Group.

The trustees of the Meso Trust are two of the current KRT trustees, myself, and Richard Spoor who is well-known to you all. We have been joined by Ms. Ulaysha Sukhu, an issue management specialist who has worked with both the KRT and the ART for many years on strategic communication challenges.

It is perhaps useful to pause here to explain that the KRT was established as a result of a voluntary agreement with the Becon Group in 2006 to set up a compensation fund for the former workers, their families and the communities that had been adversely impacted by the activities of founder's former mining companies, Kuruman Cape Blue Asbestos (KCBA) and Danielskuil Cape Blue Asbestos (DCBA).

The Meso Trust will continue to honour the grant making commitments of the KRT until February 2026, whereafter it will award benefits only to persons who have contracted mesothelioma because of occupational or environmental exposure to asbestos in the Northern Cape Province.

The trust deed of the Meso Trust allows for the payment of benefits, or the provision of support, to living mesothelioma victims who were likely exposed to asbestos in the

Northern Cape Province. Unlike for the KRT, there are no limitations as regards the date or place where occupational or environmental exposure to asbestos likely occurred within the province.

The Meso Trust trust deed has been precisely worded for legal and tax reasons. Its objectives as a Public Benefit Organisation are:

4. OBJECTS OF THE TRUST

4.1. The sole or principal object of the Trust is to carry out the following Public Benefit Activities:

4.1.1. The alleviation of distress and the provision of poverty relief, by way of donation of funds or assets or other resources, out of the capital and income of the Trust, to natural persons who have contracted mesothelioma, in consequence of their occupational or environmental exposure to asbestos while living or working in the Northern Cape Province, or the dependents or estates of such persons who die after having applied for a Benefit.

4.1.2. The provision of free welfare and humanitarian support, care and counselling, and of health care services, including palliative care, to the persons referenced in Clause 4.1.1 above, or to their dependents.

4.1.3. The provision of funds or assets or other resources by way of donation to any entity contemplated in Item 10(d) of the Ninth Schedule of the Income Tax Act that provides free welfare and humanitarian support and/or medical services including palliative care to the persons referenced in paragraph 4.1.1 above, but only for the purpose of carrying out such Public Benefit Activities to the persons referenced in paragraph 4.1.1 above.

4.1.4. The provision of funds or assets or other resources by way of donation, out of the capital and income of the Trust, to any entity contemplated in Item 10(d) of the Ninth Schedule of the Income Tax Act that provides free healthcare education, information, and advice to communities in the Northern Cape Province, regarding the means by which community members' risk of exposure to harmful asbestos dust and fibre can be mitigated, but only for the purpose of carrying out such Public Benefit Activities.

4.1.5. To the extent that it is a term on which the Trust has received or accepted any donation, bequest, benefit, settlement or award, to apply such donation, bequest, benefit, settlement or award for the achievement of the objects as set out in clauses 4.1.1 to 4.1.4, but without the geographical limitation and without limiting the asbestos related disease to mesothelioma.

4.2. The provision of such Benefits to Beneficiaries will be done on an entirely voluntary basis and at the discretion of the Trustees, in accordance with the provisions of this Deed.

Note: As a charitable entity, the Meso Trust will not offer “compensation” but rather “benefits”.

Whereas the KRT relied on the administration and medical support services of the Asbestos Relief Trust, the Meso Trust has appointed Dr JM te Water Naude Incorporated to deliver medical, administration and coordination services. Jonathan Crowther CA(SA) has been appointed as the Meso Trust’s accountant and auditor.

The Meso Trust will continue to liaise closely with the ART, and has invited to the ART administration to refer to us non-qualifying claims that might meet the criteria for support by the Meso Trust.

Guidelines for the submission applications for benefits are available on the website of the Meso Trust www.mesotrust.co.za , or it can be sent to you by calling or texting on WhatsApp 072 480 4000.

1. A completed application for benefits **by a natural person** must be accompanied by documents, medical records, and any other evidence the applicant relies on to substantiate that they have been:
 - a. diagnosed with mesothelioma; and
 - b. exposed to asbestos in the Northern Cape Province, either occupationally or environmentally.
2. For pleural mesothelioma, medical documentation should at a minimum include results from a physical examination, a chest X-ray that is strongly suggestive of the disease, and a pleural fluid analysis (pleural tap) to exclude tuberculosis, ideally supported by a CT scan and/or a histology report. A diagnosis by a highly regarded oncologist or relevant medical specialist will carry weight. Diagnoses of other forms of mesothelioma will generally require the applicant to submit tissue biopsy results.
3. Evidence of relevant exposure in the Northern Cape Province could include employment records, proof of residence or such related documents.
4. The trustees may at their discretion require an applicant to submit further information to make an informed decision. The trustees may take expert advice from the trust doctor before confirming, or not, that the applicant has contracted mesothelioma.
5. The trustees are not obliged to consider an application that is not submitted in the form and manner stipulated by them and will communicate accordingly with the

applicant. The applicant may re-submit any outstanding documents for the application to be re-considered.

6. The trustees have absolute discretion over the setting of exposure criteria that will be considered for benefits, the acceptance of applications and the awarding of benefits. As adjudication does not lend itself to a formulaic approach, each application will be considered on its merits. The trustees are, however, mindful that exposure to asbestos was, and remains, widespread in the Northern Cape Province and that the province is an international mesothelioma hotspot. While bound by the conditions set out in the trust deed and limited by the funds available to the Meso Trust, the trustees will seek to adjudicate where possible in favour of qualifying mesothelioma victims or their estates and/or dependents; and to support relevant community organisations.
7. For mesothelioma sufferers a standard financial benefit (recalculated from time-to-time based on the volume of applications and the quantum of funds set aside by the trust for this purpose) will be donated to successful applicants upon completion of the necessary administrative procedures determined by the trustees and/or the regulatory authorities. The current financial benefit is a one-off amount to a maximum of R250 000 paid into the personal bank account of the applicant (or in the case of an estate application, into the estate of the deceased, or in the case of a dependent application, into the personal account of the dependent) as per established regulatory procedures.

For the time being the Meso Trust will continue to support the palliative care project in the Kuruman area that the KRT has hitherto undertaken jointly with the ART. This has been a highly successful and important intervention for mesothelioma (and other cancer sufferers). The activities of our highly trained and dedicated palliative care sisters are supervised by Dr Jim te Water Naude.

Depending on the availability of funds, the Meso Trust may consider applications for support from other community-based organisations.

The application form, which will soon be available on the website, must be accompanied by documents that demonstrate that the organisation's objectives and activities are aligned with those of the trust; namely providing free welfare and humanitarian support, care and counselling, and/or health care services, including palliative care, to successful applicants and/or to their dependents, and/or to the communities affected by the legacy of asbestos mining in the Northern Cape Province. Any form of support to an organisation will be conditional upon compliance by that organisation with the reporting and other conditions set by the trustees.

In conclusion, the trustees of the KRT believe that the establishment of the Meso Trust will be to the advantage of those persons most grievously impacted by the legacy of asbestos mining in the Northern Cape.

We encourage the medical fraternity to reach out to the Meso Trust with any queries or suggestions.

Brian Gibson

Chairman

Meso Trust

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10 November 2025