

Bron
nr
0 3 3 7

Datum
000206 03 7

Onderwerp
nr
1

Knipsel
nr
3130

WEEKEND

SATURDAY ARGUS

Jg..... Nr..... P. 2 Dat 5 FEB 2000 6 FEB 2000

St Elmo's resigned to closure

JEAN LE MAY

The dust is gradually settling after the bomb blast that ripped apart St Elmo's restaurant in Camps Bay more than two months ago.

The bomb injured 48 people when it exploded inside the crowded restaurant on November 28.

The Nash family of Camps Bay, who owned the restaurant, have decided not to press further insurance claims and allow the liquidation process to take its course.

But monetary problems could persist for people involved in the restaurant, and several young women injured in the blast still have months of suffering ahead.

Severance packages amounting to R46 300 were paid last week to former St Elmo's employees, according to a spokesman for the South African Commercial, Catering and Allied Workers' Union.

But sources said some staff had claimed the packages they received were "not enough".

The union negotiated a retrenchment package for employees and the money was transferred to the union's lawyer, Bertus Preller, before the Nash family applied for liquidation.

The Nash family paid the 33 permanent and managerial staff until the business was provisionally liquidated on January 27.

Physically, the worst-affected victims are the five staff members injured in the blast: Olivia Milner, Tara Nocomowitz, Nicole Human, Elizabeth Apleni and Patrick Makaya. Olivia lost a leg and has other serious injuries.

However, Saturday Argus has found that only one of the five, Elizabeth Apleni, has received any financial assistance from the Western Cape Emergency Relief Trust Fund, which was set up to assist victims of the blast.

As employees, their hospital and most medical fees were covered by workmen's compensation legislation but there are many other incidental expenses, which their families have to meet out of their own pockets.

Olivia's family have refused to talk to the press.

Saturday Argus spoke to Joyce Apleni, whose daughter Elizabeth must go back to hospital next week for further treatment.

"I am working only three days a week

We don't have the strength to fight a public company'

TREFWOORDE

1. *Lekker delik*

2. *Restaurant*

3. *Kampsbay*

4. *Samantseff*

5. *skutings*

6. *afskutings*

7. *skutings*

8. *skutings*

9. *skutings*

10. *skutings*

INSTITUUT VIR EIETDSE GESKIEDENIS

Die Universiteit van die Oranje-Vrystaat

Bron nr.
0 3 3 7

Datum
000206037

Onderwerp nr.
1

Knipfel nr.
3136

WEEKEND

SATURDAY ARGUS

Jg..... Nr..... P. 2 Dat. 5 FEB 2000
6 FEB 2000

and it costs me R60 in transport to visit Elizabeth in hospital," said Mrs Apleni. As Elizabeth was a casual employee, she will not be eligible for the retrenchment pay-out.

However, Jill Ritchie, managing trustee of the fund, confirmed that Elizabeth had received R1 000 from the fund.

Other former employees who were injured, Tara Nocomowitz and Nicole Human, need further hospital treatment and it will be some time before they can work again. Both are being cared for by their families, who were reluctant to talk to the Saturday Argus but indicated that they were "managing".

But Patrick Makaya, the fifth staff member who was injured, cannot be traced. He was apparently discharged from a city hospital after treatment, but Saturday Argus was told by the hospital his name did not appear in its records. He, too, was a casual employee and is not eligible for a retrenchment package.

The restaurant was provisionally liquidated after its insurance company, SA Eagle, refused to pay a claim for loss of profits.

Cape Town High Court judge Dennis Davis criticised the stance of the insurance company, saying: "Everyone climbs on the bandwagon in the beginning, but once the dust has settled, extremely unreasonable attitudes are taken, leaving the victims to pick up the pieces themselves."

Applying for voluntary liquidation, Joan Nash, a director of Unitrade, said the insurance company had taken "a very hard line" against the restaurant's claim for loss of profit, saying it had been caused by an act of terrorism.

A letter from the Nash family in a Cape Town newspaper yesterday said: "SA Eagle has refused to pay any compensation on the basis that the bombing was an act of terrorism and this invalidated our policy."

The family is apparently now dropping the claim, saying: "In the aftermath of the bomb blast, we do not have the financial muscle, or emotional strength, to become embroiled in protracted and expensive litigation with a public company."

The Nashes said they had been compensated, "albeit inadequately", in terms of a Sasria policy covering material loss and outstanding charges, but they were not prepared to take on the insurance company in a court case.

TREFWOORDE

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10