

## ELITHENI COAL (PTY) LTD (IN BUSINESS RESCUE) REGISTRATION NUMBER: 2001/002173/07

BUSINESS RESCUE STATUS REPORT IN TERMS OF SECTIONS 132 AND 141 OF THE COMPANIES ACT, 71 OF 2008 READ WITH REGULATION 125 OF THE COMPANIES ACT FILED BY THE BUSINESS RESCUE PRACTITIONERS J F KLOPPER & A N FLYNN

### 1. Important Information and Actions

•Board of directors passes resolution for Business Rescue on	07/07/2015
•Notice of resolution filed with CIPC on	08/07/2015
•Notice to affected parties on filing for Business Rescue on	14/07/2015
•Company nominated a BRP on	13/07/2015
•CIPC confirmed certification of BRP on	13/07/2015
•File notice to CIPC re BRP appointment on	13/07/2015
•Publish notice to affected parties of BRP appointment on	14/04/2015
•First meeting of creditors held on	22/07/2015
•First meeting of employees held on	21/07/2015
•Publish Business Plan on/ due by	00/00/0000
•Publish notice of meeting to consider proposed Business Rescue Plan on	00/00/0000
•Meeting to determine the future of the business held on	00/00/0000


### CURRENT STATUS OF BUSINESS RESCUE PROCEEDINGS

1. Elitheni Coal (Pty) Limited (“the company”) was placed under Business Rescue in terms of Section 129(1) of the Companies Act 2008 (“the Act”) on 8 July 2015.
2. Elitheni Coal (Pty) Ltd complied with the requirements of Section 129(3)(a) and (b) of the Act.

3. Johannes Frederick Klopper and Anthony Norman Flynn were licensed by the Commission in respect of the company and appointed as Business Rescue Practitioners (BRPs) to the company on 134 July 2015 in terms of Section 138 of the Act.
4. A First Meeting of Creditors was held in terms of Section 147 of the Act on 21 July 2015.

**PUBLICATION OF BUSINESS RESCUE PLAN**

5. Creditors with a majority voting interest have from time to time agreed to the postponement of the date of the publication of the business rescue plan.
6. Please see the letter dated 23 September 2024 from Quantuma LLP which is self-explanatory and under the circumstances a further extension to 31 March 2025 was agreed.
7. In the meantime the BRPs have commenced engagement with a party who has expressed an interest in acquiring the company's business and which process is ongoing.



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**J F KLOPPER & A N FLYNN**

**DATE: 31 OCTOBER 2024**

CIPC QUESTIONS FOR UPLOAD:

Was the plan approved:

What actions were approved and when are the actions to be implemented?

What is outstanding in terms of the plan?

What measures have been taken to address the above and when will they be implemented?