

## 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

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|-------------------------------------------------------------------------|------------|
| •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                                       | 30/06/2025 |
| •Publish notice of meeting to consider proposed Business Rescue Plan on | 08/05/2025 |
| •Meeting to determine the future of the business held on                | 22/05/2025 |

### 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. The business rescue plan was published on 8 May 2025 and adopted on 22 May 2025 and is in the process of being implemented.



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**J F KLOPPER & A N FLYNN**

**DATE: 31 MAY 2025**