

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	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 Kloppe 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 13 July 2015 in terms of Section 138 of the Act. Mr Flynn did not renew his licence in January 2025.
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 adopted on 22 May 2025 and is still in the process of being implemented. The adopted business rescue plan is estimated to be about 50% implemented.

SUMMARY OF TRIAL MINING OPERATIONS

7. Please see summary set out in the September report.
8. As advised in September, three controlled blasts yielded 15,000 tons of Run of Mine (ROM) coal from a small test pit. The material was independently sampled and analysed.
9. Unfortunately, the quality of coal was well below expected levels. Accordingly, the 15,000 tons must be considered unsaleable. Active mining operations were suspended on 20 September.
10. Further laboratory tests during October using commercially available reagents indicate that alternative methods to improve the quality of the coal may be achievable. Further tests are continuing.
11. The date at which the trial mining period was to come to an end was 12 December 2025. This date was however extended to 12 February 2026 by virtue of an amendment entered into between ECC and the BRP in early December 2025. In February and by virtue of a further addendum entered into between ECC and the BRP this date was further extended before to 15 May 2026.

