

**Private & Confidential**

BDO Business Restructuring (Pty) Ltd  
Block 2, Blaauwklip Office Park Webers valley Road Jamestown  
Stellenbosch, 7600  
South Africa

30<sup>th</sup> April, 2024

By email: Tony Flynn [tflynn@bdo.co.za](mailto:tflynn@bdo.co.za)  
Hans Klopper [hklopper@bdo.co.za](mailto:hklopper@bdo.co.za)

Our Ref: CJ/JH/KB

Dear Hans and Tony

**Land Consultants Limited (“LCL”) - in Liquidation  
Acharnian Mining Limited (“AML”) – in Receivership**

I write further to my letter dated 10<sup>th</sup> November, 2024, in which the office holders of Acharnian Mining Limited (“AML”) and Land Consultants Limited (“LCL”) requested an extension to the publication of the business rescue plan for Elitheni Coal Pty Ltd (“Elitheni”) until 30<sup>th</sup> April 2024.

As you are aware, 74% of the equity in Elitheni is held by way of the receivership of AML and around 80% of the debt in Elitheni is due to LCL in liquidation.

At the time of our last letter, we were in detailed final negotiations with a very credible mine operator to finalise the implementation of the plans to recommence mining operations during the first part of 2024.

We are pleased to report that the implementation of mine preparation has proceeded generally well, if a little slower than planned and all of the equipment and site materials that had been purchased by the proposed site operator have been moving to site during the period November 2023 to April 2024, with the reasonable expectations to recommence mining operations in June 2024

Office holders of AML and LCL believe that further time should be given to complete the implementation and training at site to recommence mining operations on the revised and improved basis of selling ‘raw, unwashed’ coal, as this will be beneficial for all stakeholders, creditors as well as the local community.

As previously stated, the office holders of AML and LCL are of the view that it would be uncommercial to allow Elitheni to be liquidated at this stage whilst there is progress being made with suitable investors and mine operators, especially considering that the mining licence, as the major asset, would be lost in the liquidation.



Taking the above into consideration, we suggest an extension of a further 5 months to 30<sup>th</sup> September 2024, the time deadline previously approved by DMRE, to allow the commencement and evaluation of mining operations as the necessary precondition for a planned proposal to creditors during September 2024

Yours sincerely

Carl Jackson  
Joint Liquidator

Licensed in the United Kingdom to act as an insolvency practitioner by the Insolvency Practitioners Association