

ESOR AFRICA (PTY) LTD

REGISTRATION NUMBER: 1998/004367/07

BUSINESS RESCUE STATUS REPORT IN TERMS OF SECTIONS 132 AND 141 OF THE COMPANIES ACT, 2008 READ WITH REGULATION 125 OF COMPANIES ACT FILED BY THE BUSINESS RESCUE PRACTITIONER J F KLOPPER

	Date
Board of directors passes resolution for Business Rescue on	2018-11-16
File notice of resolution with CIPC on	2018-11-20
Publish notice to affected parties-within 5 days from Filing	2018-11-28
Company nominates a BRP within 5 days of filing	2018-11-21
CIPC confirms the appointment of BRP	2018-11-21
File notice to CIPC on BRP appointment within 2 days	2018-11-21
Publish notice to affected parties of BRP within 5 days	2018-11-28
First meeting of creditors-10 days from appointment	2018-12-05
First meeting of employees-10 days from appointment	0000-00-00
Publish Business Plan	0000-00-00
Notice of meeting to determine Business Plan	0000-00-00
Meeting to determine Business Plan 10 days after publication	0000-00-00

1. Esor Africa (Pty) Ltd ('the company') was placed under Business Rescue in terms of Section 129(1) of the Companies Act 2008 ("the Act") on 20 November 2018.
2. The company complied with the requirements of Section 129(3)(a) and (b) of the Act.
3. Johannes Frederick Klopper was licensed by the Commission in respect of the company and appointed as Business Rescue Practitioner (BRP) to this company on 21 November 2018 in terms of Section 138 of the Act.

4. In terms of a resolution adopted by all by all creditors present, at the First meeting of creditors on 5 December 2018, the date for the publication of the Business Rescue Plan (“BR Plan”) by the business rescue practitioners was extended to 12 February 2019.
5. Engagement with creditors are continuing and at an informal meeting of creditors held on 10 July 2019 creditors were reminded of the challenges experienced in finding a purchaser for the property belonging to the company.
6. It was resolved that the BRP would enter into a sole mandate with an agent who would then either market the property belonging to the company or, alternatively, liaise with other agents with a view to finding perspective buyers.
7. At the abovementioned informal meeting it was agreed that regular feedback meetings would be held with affected parties.
8. A sole mandate agreement was entered into and Liquidity Services has marketed the property both on-site and via online marketing.
9. An offer was received on 14 August 2019 that is considered below market value and referred to the appointed agent to enter into negotiations.
10. At an informal general meeting of the major creditors with a statutory majority in voting interest held on 5 September 2019 it was proposed to and agreed by all creditors present that the immovable property will be sold by public auction and which sale would take place on 22 October 2019.
11. The public auction took place on 22 October 2019 and the highest bid received was subject to confirmation by the BRP by 5 November 2019.
12. However, the highest bid was not acceptable or increased by the bidder and as a consequence of which the property has not as yet been sold.
13. The process of seeking a buyer for the property continued during January 2020 and we had an approach from an interested party who expressed an interest in using the premises for a facility and to enter into an option to purchase. This is however subject to a tender which has been submitted and which is pending. Engagement and negotiations will continue in February 2020.

14. Putting the property up for auction again was considered again and we were advised, and which advice we accepted, that doing so in this depressed market will not be the correct thing to do at this stage.



J.F. KLOPPER

BUSINESS RESCUE PRACTITIONERS

Date: 31 January 2020