

ONE STEP AHEAD CC

SWORN STATEMENT

(In support of a Notice Beginning Business Rescue Proceedings)

I, the undersigned

EDMUND LOUIS DE SWARDT
IDENTITY NUMBER: 490315 5090 089

do hereby make oath and say:

- 1 I am a South African and the appointed director of ONE STEP AHEAD CC ("the Close Corporation") with registration number 1999/012799/23 and business address at 13 Wellington Road, Parktown, 2193.
- 2 The contents of this sworn statement are true and correct and, unless stated otherwise, the facts contained herein fall within my own personal knowledge and belief.
- 3 I was duly appointed as member of the Close Corporation on 13 September 2000.
- 4 I make this sworn statement in support of the Close Corporation's notice to commence business rescue proceedings as contemplated in terms of Section 129 of the Companies Act, 71 of 2008 ("the Act").
- 5 On 2 May 2019, the members of the Close Corporation unanimously resolved that the Close Corporation voluntarily commence business rescue proceedings as envisaged in terms of the Act. The resolution will be filed together with this sworn statement.
- 6 The relevant facts upon which the resolution were founded include:
 - 6.1 The Close Corporation's main business is that of construction.
 - 6.2 According to the Close Corporation's management account prepared for the period ending on 28 February 2019 the Close Corporation is indebted to its creditors in an amount of R 26,001,917-76.
 - 6.3 The Close Corporation requires time in order to restructure its affairs, debt and equity so that the creditors of the Close Corporation are afforded maximum benefit.
 - 6.4 As mentioned in 7 below the Close Corporation is financially distressed as envisaged in terms of the Act.
 - 6.5 Funding from sources such as shareholder loans and loans the Close Corporation's financiers has ceased or is about to cease.
 - 6.6 The Close Corporation is faced with the situation where it needs to realise its assets or to procure further funding to best effect and to negotiate with its creditors which process will be best achieved under business rescue proceedings as envisaged in terms of the Act.



- 7 As director I investigated the Close Corporation's affairs and concluded that the Close Corporation is "financially distressed" as defined in section 128 of the Act as it is reasonably unlikely to be able to pay all its debts as they become due and payable within the immediately ensuing six months and/or the Close Corporation is reasonably likely to become insolvent within the immediately ensuing six months.
- 8 There appears, in my opinion, to at least be a reasonable prospect that creditors will directly benefit from the Close Corporation being afforded additional time to restructure its affairs, business, property, debt, other liabilities and equity in a manner that maximises the likelihood of the Close Corporation continuing in existence on a solvent basis.
- 9 Business rescue will allow the Close Corporation to realise its assets, procure additional funding or to achieve a compromise or come to an arrangement acceptable to its creditors and other stakeholders.
- 10 The Business Rescue process will allow for:
- 10.1 The temporary supervision of the Close Corporation, and for the management of its affairs, business and property;
- 10.2 A temporary moratorium on the rights of claimants against the Close Corporation or in respect of property in its possession,
- 10.3 The development and implementation, if approved, of a plan to realise the Close Corporation's assets will result in a better return for the Close Corporation's creditors or shareholders than would result from the immediate liquidation of the Close Corporation.

E. Louis de Swardt

EDWARD LOUIS DE SWARDT

I certify that:

- i the deponent acknowledged to me that:
- (a) he knows and understands the contents of this declaration;
- (b) he has no objection to taking the prescribed oath;
- (c) he considers the prescribed oath to be binding on her conscience;
- ii the deponent thereafter uttered the words "I swear that the contents of this declaration are true, so help me God";
- iii the deponent signed this declaration in my presence at the address set out hereunder on this the *02* day of *May* 2019.

[Signature]
COMMISSIONER OF OATHS

