



SOUTHERNERA DIAMONDS (PTY) LTD
REGISTRATION NUMBER: 2017/453700/07

(IN BUSINESS RESCUE)

**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 AND R
PIETERS**

J F Klopper and R Pieters

November 2022

1. IMPORTANT INFORMATION AND ACTIONS

	Date
Board of directors passes resolution for Business Rescue on	2020-03-23
File notice of resolution with CIPC on	2020-03-25
Publish notice to affected parties-within 5 days from Filing	2020-05-05
Company nominates a BRP within 5 days of filing	2020-03-23
CIPC confirms the appointment of BRP	2020-03-25
File notice to CIPC on BRP appointment within 2 days	2020-03-23
Publish notice to affected parties of BRP within 5 days	2020-03-27
First meeting of creditors-10 days from appointment	2020-05-12
First meeting of employees-10 days from appointment	2020-05-12
Publish Business Rescue Plan	0000-00-00
Notice of meeting to determine Business Rescue Plan	0000-00-00
Meeting to determine Business Plan 10 days after publication	0000-00-00

2. CURRENT STATUS OF BUSINESS RESCUE PROCEEDINGS

1. Southernera Diamonds (Pty) Ltd was placed under Business Rescue in terms of Section 129(1) of the Companies Act 2008 (“the Act”) on 23 March 2020.
2. Southernera Diamonds (Pty) Ltd (“the Company”) complied with the requirements of Section 129(3)(a) and (b) of the Act.
3. Johannes Frederick Klopper and Rynette Pieters were licensed by the Commission in respect of the company and appointed as Business Rescue Practitioners (BRPs) to this company on 25 May 2020 in terms of Section 138 of the Act.
4. Previous status report contained details of the first meeting of creditors, the pending litigation and the publication and adoption of the business rescue plan on 6 May 2021.
5. Pursuant to the adopted Business Rescue Plan the BRP’s entered into an agreement in terms of which the Company’s immovable property be sold but this transaction is however still not finally concluded.
6. The reason for the delay of this transaction is a delay in obtaining a response from the Land Claims Commissioner in connection with an issue in relation to a land claim. This process has been ongoing since August 2021 and the status quo remains.

7. Certain other parties who approached the BRPs in order to submit alternative proposals and who interacted with the BRPs have not as yet reverted.
8. The BRP and the Company's directors are continuously engaging with various parties who are interested in acquiring the Company's assets. The BRPs are in the meantime engaging with the parties who have expressed an interest in entering into a lease agreement with company to rent the agricultural land belonging to the company.
9. At a meeting between the BRPs and the bondholder together with the secured creditor, who holds a mortgage bond over the immovable property (the farm) belonging to the Company, held during November it was agreed that an agent would be engaged to submit a proposal with a view to disposing of the farm which will commence in 2023.



J F KLOPPER AND R PIETERS

BUSINESS RESCUE PRACTITIONERS

Date: 30 November 2022