



**SAIL DESIGN COMPANY (PTY) LTD**  
**REGISTRATION NUMBER: 1998/009820/07**

**(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 PRACTITIONER J F KLOPPER**

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J F Klopper

July 2022

## 1. IMPORTANT INFORMATION AND ACTIONS

	Company Name
Board of directors passes resolution for Business Rescue on	2020-11-18
File notice of resolution with CIPC on	2020-11-18
Publish notice to affected parties-within 5 days from Filing	2020-11-24
Company nominates a BRP within 5 days of filing	2020-11-18
CIPC confirms the appointment of BRP	2020-11-18
File notice to CIPC on BRP appointment within 2 days	2020-11-18
Publish notice to affected parties of BRP within 5 days	2020-11-24
First meeting of creditors-10 days from appointment	2020-12-01
First meeting of employees-10 days from appointment	2020-12-01
Publish Business Rescue Plan	2021-02-15
Notice of meeting to determine Business Rescue Plan	2021-02-15
Adjourned Meeting to determine Business Rescue Plan 10 days after publication	2021-03-09
Termination Date	0000-00-00

## 2. CURRENT STATUS OF BUSINESS RESCUE PROCEEDINGS

1. Sail Design Company (Pty) Limited (“the company”) was placed under Business Rescue in terms of Section 129(1) of the Companies Act 2008 (“the Act”) on 18 November 2020.
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 the company on 18 November 2020 in terms of Section 138 of the Act.
4. A First Meeting of Creditors was held in terms of Section 147 of the Act on 1 December 2020.
5. At the First Meeting of Creditors the creditors present unanimously resolved that the date for the publication of the business rescue plan be extended until 15 February 2021. A business rescue plan was published on that date.
6. However, the BRP, on 10 February 2021, after engagement with affected persons, launched a court application in terms of section 136 (2) (b) of the Act (“the application”) for the cancellation of lease agreements entered into between Better Sails Manufacturing (Pty) limited (“BSM”) and Platinum Mile Investments (Pty) Limited (Under Business Rescue) and the company.
7. This application is opposed and pursuant to a further counter application by BSM for the consolidation of an eviction application launched prior to the commencement of business

rescue proceedings the matter was not heard on 29 April 2021. The further timelines in relation to the application and counter application will be determined by the parties' legal representatives in due course.

8. The meeting of creditors to consider the proposed business rescue plan which was adjourned to 9 March 2021 and thereafter further adjourned to 7 April 2021 was further adjourned to 5 May 2021.
9. On 5 May the meeting was further adjourned to 21 July 2021 and was further adjourned to 25 August 2021 and again to 12 October 2021.
10. The 12 October 2021 meeting was again adjourned to 24 November 2021 and this meeting was adjourned to 22 February 2022.
11. The 22 February meeting was adjourned to 21 April 2022 and this meeting was adjourned to 18 August 2022.
12. On 28 July 2022 BSM delivered a further supplementary affidavit in relation to the consolidated application and the eviction application referred to above.



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**J F KLOPPER - BUSINESS RESCUE PRACTITIONER**

**Date: 31 July 2022**