



I P T (PTY) LTD

REGISTRATION NUMBER: 2020/862480/07

MINUTES OF THE FIRST MEETING OF CREDITORS AND EMPLOYEES IN TERMS OF SECTIONS 147 AND 148 OF THE COMPANIES ACT 71 OF 2008 (“THE ACT”) HELD BY WAY OF MICROSOFT TEAMS MEETING ON THURSDAY 7TH JANUARY 2021

1. Present:

- 1.1. J F (Hans) Klopper - Business Rescue Practitioner Chairman) (“BRP”) - HK;
- 1.2. Sonnica Schreuder - Nedbank
- 1.3. Nirosha Motlekar - Nedbank
- 1.4. Elaine Arendse - BDO:

2. Apologies for non- attendance:

- 2.1. None

3. Introduction of BRP

- 3.1. All parties present were requested to announce themselves on the call.
- 3.2. HK requested that all questions relating to the business rescue process and issues discussed at the meeting be dealt with under the “general” agenda item.

4. Welcome

- 4.1. HK welcomed all present

5. Background

- 5.1. HK informed the meeting that Business Rescue (“BR”) proceedings commenced on 15 December 2020 when the Company’s Board of Directors filed the resolution dated 10 December 2020 with CIPC
- 5.2. HK further informed the meeting that the company appointed the BRPs on 14 December 2020 by completing and filing the necessary notice to with CIPC as is required in terms of Section 129 (3) (b) of the Act.
- 5.3. The BRPs gave notice in terms of the provisions of the Section 129(3)(a) of the Act to all affected persons on 22 December 2020 and convened the first meeting of creditors in compliance with Section 147 of the Act to be held today.
- 5.4. HK reported that the same notice also served as compliance with Section 129(4)(b) of the Act which requires that the company must give notice of the appointment of the BRP

6. THE BUSINESS RESCUE PROCESS

- 6.1. HK informed the meeting that the BR process is already well known to the parties attending the virtual meeting and that there is therefore no need to dwell on the background in relation to the legal history of business rescue in South Africa.
- 6.2. He furthermore stated that companies are by implication in terms of the Act duty bound to file a resolution for BR when there are reasonable grounds to believe that the company is financially distressed and referred the meeting to Section 129 (7) of the Act. Directors who fail to act in terms of section 129 (7) of the Act might become personally liable for the company's debt.
- 6.3. HK informed the meeting that the BRP is responsible to:
 - 6.3.1. develop a business rescue plan to be considered by affected persons, in accordance with Section 150 of the Act; and
 - 6.3.2. implement a business rescue plan that has been adopted in accordance with the Act.
 - 6.3.3. For this purpose, the Practitioner must engage with the creditors of the company, shareholders, the management of the companies and other affected persons.
- 6.4. HK stated that in terms of Section 141 of the Act the BRP must investigate the company's affairs, business, property and financial situation to assess whether there is any reasonable prospect of the companies being rescued as contemplated in the Act. He did however note that the nature of the company's business is that of a property-owning company and that they would not appear to be substantial background investigation that will be required in this instance.

7. PRESENT FINANCIAL POSITION AND PROSPECTS OF RESCUING THE COMPANY.

- 7.1. HK reported informed the meeting that the reasons for the adoption of the business rescue resolution are contained in the sworn statement that accompanied the Notice and that, in essence, the company owns an immovable property with Nedbank being its sole major creditor.
- 7.2. In addition, the company may hold monies to the City of Cape Town for utility accounts which will be investigated.
- 7.3. HK then further informed the meeting that a process to value the company's immovable property will be embarked upon only if necessary.

8. PROOF OF CLAIMS

- 8.1. HK stated that the Act states that the BRP may receive proof of claims by creditors.

8.2. HK however stated the BRP will require that the claims by creditors be submitted in the format that is ordinarily required for the proof of a claim under liquidation circumstances in terms of the Laws of Insolvency.

9. DETERMINATION AS TO WHETHER A CREDITORS COMMITTEE SHOULD BE APPOINTED

9.1. HK indicated that it would not be necessary in his view to formally form a creditors committee and which creditors accepted

10. GENERAL

10.1. A discussion ensued about the date by which the business rescue plan is to be published by the BRP and 29 January 2021 was proposed and accepted as the date by which the business rescue plan must be published and if then necessary a further extension will be sought then.

10.2. It was also agreed that the business rescue plan in relation to this company will run concurrently with the publication of a business rescue plan in relation to Gragood Developments (Pty) Ltd which is also under business rescue.

10.3. The meeting was closed.



J F (HANS) KLOPPER
BUSINESS RESCUE PRACTITIONER