

A background image showing a hand moving wooden blocks on a light-colored wooden surface. The blocks are arranged in a way that suggests a process of building or restructuring.

AGRI PROTEIN TECHNOLOGIES (PTY) LTD (IN BUSINESS RESCUE) REGISTRATION NUMBER: 2010/011495/07

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 & A N FLYNN

1. Important Information and Actions

•Board of directors passes resolution for Business Rescue on	01/02/2021
•Notice of resolution filed with CIPC on	02/02/2021
•Notice to affected parties on filing for Business Rescue on	04/02/2021
•Company nominated a BRP on	01/02/2021
•CIPC confirmed certification of BRP on	02/02/2021
•File notice to CIPC re BRP appointment on	01/02/2021
•Publish notice to affected parties of BRP appointment on	04/02/2021
•First meeting of creditors held on	11/02/2021
•First meeting of employees held on	11/02/2021
•Publish Business Plan on/ due by	11/03/2021
•Publish notice of meeting to consider proposed Business Rescue Plan on	11/03/2021
•Meeting to determine the future of the business held on	19/03/2021

CURRENT STATUS OF BUSINESS RESCUE PROCEEDINGS

- 1.1. Agri Protein Technologies (Pty) Limited (“the company”) was placed under Business Rescue in terms of Section 129(1) of the Companies Act 2008 (“the Act”) on 2 March 2021.
- 1.2. The company complied with the requirements of Section 129(3)(a) and (b) of the Act.
- 1.3. Johannes Frederick Klopper and Anthony Norman Flynn were licensed by the Commission in respect of the company and appointed as Business Rescue Practitioners (BRPs) to the company on 2 February 2021 in terms of Section 138 of the Act.

- 1.4. A First Meeting of Creditors was held in terms of Section 147 of the Act on 11 February 2021.
- 1.5. A business rescue plan was published on 11 March 2021 and at a meeting held on 19 March 2021 the published business rescue plan was adopted by the majority creditors.
- 1.6. The sale of business agreement entered into between the company and a third party pursuant to the adopted business rescue plan was subject to certain conditions precedent that had to be fulfilled by the 30 June 2021.
- 1.7. Unfortunately, the condition precedent contained in paragraph 19.3.6.2 of the adopted business rescue was not fulfilled. TIA had to agree to the assignment of the TIA Loan before 30 June 2021 which they declined to do.
- 1.8. As a consequence Proposal B in terms of the adopted business rescue plan became binding on the Company and its affected persons as per paragraph 19.4.1 of the business rescue plan.
- 1.9. The BRPs were of the view that if the sale of business was not progressed, the company's business would have had to be shut down, the colony of flies killed, and all staff removed from the company's premises. Furthermore, the assets of the company would have been auctioned and the building would have been empty until such time as the building was sold and which the BRPs estimated would take approximately 18 months.
- 1.10. The BRP's therefore entered into a sale of business agreement with the same Purchaser in terms of Proposal B of the adopted business rescue plan at a purchase consideration of R20 million payable in four instalments as follows:
 - 1.10.1. R3 000 000 (three million rand) which was paid by the Purchaser to the company on 31 March 2021 ("First Instalment");
 - 1.10.2. R9 000 000 (nine million rand) which is payable by the Purchaser to the company on or before 31 July 2021 ("Second Instalment");
 - 1.10.3. R4 000 000 (four million rand) which is payable by the Purchaser to the company on or before 31 October 2021 ("Third Instalment"); and
 - 1.10.4. R4 000 000 (four million rand) which is payable by the Purchaser to the company on or before 31 December 2021 ("Fourth Instalment").



J F KLOPPER & A N FLYNN
DATE: 31 July 2021