

## 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. It was reported in our 31 July 2011 status report that 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. The BRP's also reported in the 31 July report 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.
- 1.9. The purchaser negotiated amended terms for the instalments since July 2021.
- 1.10. The purchaser approached the BRPs during November with proposals in relation to a further extension which had not been received in writing by 30 November 2021.



---

J F KLOPPER & A N FLYNN

DATE: 30 November 2021

PS:

1. The attached written proposal was received from the purchaser post the due date of this report on 1 December 2021.
2. The BRPs are of the view that that the proposed extension should be granted and unless we receive a rejection thereof by a statutory majority by **Monday 13 December 2021** the proposal will be accepted.
3. We furthermore attach a letter in relation to the payment of an **interim dividend by 31 January 2022** and a request for banking details to which require an urgent response.