

SWORN STATEMENT

In support of

a Notice Beginning Business Rescue Proceedings

In respect of **Bassani Mining (Pty) Ltd**

I, the undersigned,

JACOBS DU TOIT
(ID No. 610725 5028 083)

do hereby make oath and state that:

- 1 I am a major male businessman with current place of employment at Bassani Mining (Pty) Ltd, registration number 2008/013522/07 with the registered office located at Cnr Dytchley & Marcius Road, Barbeque Downs, Kyalami.
- 2 The contents of this sworn statement is true and correct and unless stated otherwise the facts contained herein fall within my own personal knowledge and belief.
- 3 I am a director of Bassani Mining (Pty) Ltd (hereinafter referred to as "*the company*").

PURPOSE OF THIS AFFIDAVIT

- 4 The company is in 'financial distress' as contemplated in section 128 (f) of the Companies Act 71 of 2008 ("*the Act*").



- 5 On 14 April 2021, the directors of the company resolved that the Company be voluntarily placed into business rescue as envisaged in section 129 (3) of the Companies Act 71 of 2008. The resolution will be filed evenly with this sworn statement.

FINANCIAL DISTRESS OF THE COMPANY

- 6 The financial distress of the company is attributable, *inter alia*, to:
- 6.1 Non-payment by Vierfontein Colliery against signed Acknowledgement of Debt.
 - 6.2 Non-payment by Mashala Resources/Sebosat for services rendered. Matter has been referred to Supreme Court of Appeals.
 - 6.3 Non-payment by Pan-Global Trading/Black Bird Trading for services rendered. In dispute resolution process.
- 7 As a result of the above:
- 7.1 The company is experiencing cashflow constraints;
 - 7.2 the company has been, or will shortly, be unable to service payments in respect of its month-to-month obligations to creditors and more specifically in terms of its credit facilities;
 - 7.3 The Company is unable to finalise orders from clients due to a shortfall in working capital requirements;
 - 7.4 The Company is unable to honour salary and wage obligations.



PROSPECTS FOR RECOVERY IN BUSINESS RESCUE

8 It is my firm belief that there are reasonable prospects for the rescue and recovery of the company through the utilisation of the business rescue processes envisaged in chapter 6 of Act.

9 In the premise, business rescue will:

9.1 Aid the company in once again attaining commercial solvency, restoring it to a solvent, liquid and profitable enterprise, or, at the very least;

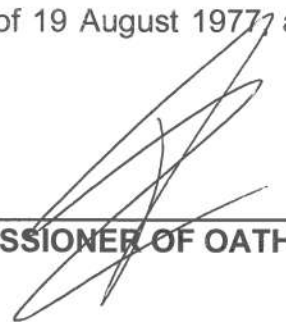
9.2 To provide creditors with a return greater than that they would receive in the event of the liquidation of the company.



DEPONENT

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of her knowledge both true and correct. This affidavit was signed and sworn to before me at Midstream on this the 14th day of April 2021, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977 as amended, having been complied with.

DENEYS ZEEDERBERG
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PRAKTISERENDE PROKUREUR R.S.A
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SUITE 104, MIDLANDS OFFICE PARK,
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COMMISSIONER OF OATHS