

**BUSINESS RESCUE PROCEEDINGS:**

**NOTICES TO CREDITORS AND AFFECTED PERSONS IN COMPLIANCE WITH VARIOUS PROVISIONS OF CHAPTER 6 OF THE COMPANIES ACT NO. 71 OF 2008 (“THE ACT”)**

To All Known Creditors and Affected Persons

**NKWE PLATINUM SOUTH AFRICA (PTY) LTD (IN BUSINESS RESCUE) (“THE COMPANY”)**  
**REGISTRATION NUMBER: 2002/000339/07**

1. These notices are addressed to all Affected Persons in compliance with the various provisions of Chapter 6 of the Act.
2. On 27 April 2021 the board of directors of the Company resolved to file for Business Rescue. A copy of the resolution as well as the sworn statement setting out the reasons for the resolution are attached hereto (**“Resolution and Sworn Statement”**).
3. The Resolution and Sworn Statement referred to above were filed with the Companies and Intellectual Property Commission (**“CIPC”**) on 28 April 2021. A copy of the notice as filed with CIPC is attached hereto (**“COR 123.1”**), together with letter received from CIPC confirming that the application was received, processed and that the relevant status change has been made on the company’s registry.
4. Liebenberg Dawid Ryk van der Merwe has now been appointed by the Company and licensed by CIPC as the Business Rescue Practitioner (**“BRP”**) of the Company.
5. In addition, please find attached hereto the following documentation:
  - 5.1 a notice, as contemplated in Section 129 of the Act, informing you of the appointment of the BRP for the Company (**“COR 123.2”**);
  - 5.2 the certificate evidencing that the BRP has been licensed by CIPC (**“BR Certificate”**);

BDO Business Restructuring (Pty) Ltd  
Registration number: 2002/025164/07  
VAT number: 4610217830

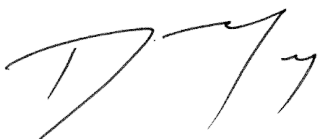
Chief Executive Officer: ME Stewart

A full list of all company directors is available on [www.bdo.co.za](http://www.bdo.co.za)

BDO Business Restructuring (Pty) Ltd, a South African company, is an affiliated company of BDO South Africa Inc., a South African company, which in turn is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. BDO is the brand name for the BDO network and for each of the BDO Member Firms.

- 5.3 a notice convening the first meeting of Creditors and Affected Persons, in terms of Section 147 (1) of the Act (“**Notice of 1st meeting**”);
- 5.4 an agenda for the above-mentioned meeting in terms of Section 147 (2) (b) of the Act is also attached (“**Agenda**”).
  
6. The Act is not prescriptive with regards to the submission of claim documents in support of a claim against the Company, neither as to the format of such a claim, nor the time period for the submission of a claim.
  
7. Section 147 states that a creditor may lodge a claim at the 1st Meeting of Creditors and Affected Persons, clearly indicating that the submission is not mandatory, and can as such be submitted to the BRP at any stage during the business rescue proceedings.
  
8. For those creditors who wish to lodge a claim either prior to or after the meeting we would propose the following:
  - 8.1. Any claim should at the very least be supported by an affidavit deposed to by an authorised individual.
  - 8.2. The claim document and its supporting documents can be sent to the BRP electronically at any time for consideration.
  - 8.3. You are welcome to utilise your own format, but for your convenience we attach a concept claim document (“**Claim Form**”).
  
9. If creditors wish to submit their claim documents for purposes of the convened first meeting on Wednesday 12 May 2021, please see to it that your claim document is sent to [businessrescuejhb@bdo.co.za](mailto:businessrescuejhb@bdo.co.za) at least 24 hours before the meeting to give the BRP sufficient time to consider such claims.

Yours faithfully



**LDR van der Merwe**  
Business Rescue Practitioner