

# *I N D E P E N D E N T*

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## *A D V I S O R Y*

Independent Trustees (Pty) Limited (Reg No 2002/025164/07)  
Unit B5, Clearview Office Park, 77 Wilhelmina Street,  
Constantia Kloof Roodepoort 1724 (Also at Stellenbosch)  
P O Box 21341, Helderkruijn 1733  
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International: (+27) 11 991 5500  
Fax: (011) 991 5516  
Website: [www.corprecover.co.za](http://www.corprecover.co.za)

### To All Known Creditors

Your Ref:  
Our Ref: **LDR VAN DER MERWE**  
Direct Line: **011 991 5514**  
Direct Fax: **086 612 1557**  
Cell Phone: **083 444 5026**  
Direct E-Mail: **dawiev@corprecover.co.za**  
Date: **16 August 2013**

Dear Sir/Madam

### **Business Rescue Proceedings: SA Leisure and Hotels (Pty) Ltd** **Notices to creditors in compliance with various provisions of Chapter 6 of the Companies Act.**

1. These notices are addressed to all affected parties in compliance with the various provisions of Chapter 6 of the Companies Act, Act 71 of 2008 ("the Act").
2. On 26 July 2013 the board of directors of SA Leisure and Hotels (Pty) Ltd ("the company") resolved to file for Business Rescue. A copy of the resolution as well as the affidavit setting out the reasons for the resolution are attached hereto. **(Resolution and affidavit)**
3. The resolution referred to above was filed with the Companies and Intellectual Property Commission ("CIPC") on 08 August 2013. A copy of the notice as filed with CIPC is attached hereto. **(COR 123.1).**
4. Liebenberg Dawid Ryk van der Merwe has now been appointed by the company and licenced by CIPC as the Business Rescue Practitioner ("BRP").

Independent Trustees (Pty) Ltd is a member of **hww insolvency cooperation partners**

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Hungary (Budapest) India (New Delhi) Italy (Rome) Mexico (Mexico City) Netherlands (Amsterdam) Poland (Warsaw) Republic of China (Hong Kong)  
Romania (Bucharest) Russia (Moscow) South Africa (Johannesburg) Spain (Barcelona) Sweden (Stockholm) USA (New York)

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Directors:

JF Klopper\* B Com B Proc R Pieters\* B Econ LDR Van der Merwe\* B Com LLB  
MJ Maseko B Juris LLB HA Plaatjies\* B Juris LLB

\* Member of the South African Restructuring and Insolvency Practitioners Association ("SARIPA")

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5. In addition please find attached the following documentation:
- 5.1. the certificate evidencing that the BRP has been licenced by CIPC (**BR Certificate**);
  - 5.2. a notice, as contemplated in Section 129 of the Act, informing you of the appointment of the Business Rescue Practitioner for the company (**COR 123.2**);
  - 5.3. a notice convening the first meeting of creditors, in terms of Section 147 (1) of the Act (**Notice of 1<sup>st</sup> 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 regard 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 1<sup>st</sup> meeting of creditors, 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 documents and its supporting documents can be sent to the BRP electronically at any time for consideration. The BRP will revert to you as soon as possible, after verifying the claim against the records of the company;

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8.3. You are welcome to utilise your own format, but for your convenience we attach a concept claim document (**Claim form**);

8.4. If creditors wish to submit their claim documents for purposes of the convened 1st meeting on 26 August 2013, please see to it that your claim document is sent to [dawiev@corprecover.co.za](mailto:dawiev@corprecover.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**

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