

15 March 2016

To all known creditors and affected parties

## **Business Rescue proceedings:**

Notices to creditors and affected parties 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 6 March 2016 the board of directors of Able Walling Solutions (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 8 March 2016. A copy of the notice as filed with CIPC is attached hereto. (COR 123.1).
- 4. Christopher Raymond Rey has now been appointed by the company and licensed by CIPC as the Business Rescue Practitioner ("BRP").
- 5. In addition please find attached the following documentation:
  - 5.1. 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);
  - 5.2. the certificate evidencing that the BRP has been licensed by CIPC (BR Certificate);
  - 5.3. a notice convening the first meeting of creditors, 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 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 <u>may</u> 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 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);
  - 8.4. If creditors wish to submit their claim documents for purposes of the convened first meeting on 22 March 2016, please see to it that your claim document is sent to <a href="mailto:businessrescuejhb@corprecover.co.za">businessrescuejhb@corprecover.co.za</a> at least 24 hours before the meeting to give the BRP sufficient time to consider such claims.

Yours faithfully

**CR REY** 

**BUSINESS RESCUE PRACTITIONER**