



**SAIL MINERALS PROPRIETARY LIMITED**

**Registration Number: 2013/101076/07**

July 2023

**Attention: All Affected Persons of Sail Minerals (Pty) Limited (in business rescue) (“Sail Minerals”)**

**RE: REPORT ON THE PROGRESS OF THE BUSINESS RESCUE PROCEEDINGS OF SAIL MINERALS**

### **Introduction**

1. In terms of section 132(3) of the Companies Act 71 of 2008 (“Act”), if a company’s business rescue proceedings have not ended within three (3) months after the start of those proceedings, or such longer time as the court, on application by the practitioner, may allow, the practitioner must –
  - 1.1. prepare a report on the progress of the business rescue proceedings, and update it at the end of each subsequent month until the end of those proceedings; and
  - 1.2. deliver the report and each update in the prescribed manner to each affected person, and to the:
    - 1.2.1. Court, if the proceedings have been the subject of a court order; or
    - 1.2.2. Commission, in any other case.
2. Therefore, as required, this progress report is being delivered by the business rescue practitioner (“BRP”) in terms of section 132(3) of the Act.
3. Reference is made in this progress report to the prior progress reports and the adopted business rescue plan (“Plan”). Capitalised terms used herein bear the same meaning ascribed thereto in the



CONSERVATION



CONTRIBUTION



INTEGRITY



SAFETY

Plan and/or the Act. It is therefore important that this progress report be read in conjunction with the previous progress reports and the Plan.

### **Business Rescue Proceedings**

#### 4. Proof of Claims

4.1. The BRP's team is reconciling the claims received to date and will communicate with creditors, individually, regarding the status of their claims.

4.2. To the extent that any claims are disputed, a dispute mechanism has been provided for in the Plan.

#### 5. BCM Plan

5.1. On 18 July 2023, the meeting to vote on the BCM Plan was further adjourned to 31 October 2023.

#### 6. Litigation

6.1. The BRP refers to the notices to affected persons regarding the legal proceedings which have been instituted by and against Sail Minerals. Accordingly, this paragraph of the report must be read together with the aforesaid notices.

#### BCM – Application for a declarator

6.2. On 6 July 2023, the BRP filed a replying affidavit.

6.3. On 18 July 2023, Sail Minerals was advised by BCM and its BRP that a "*supplementary affidavit*" would be filed. To date, this has not been filed.

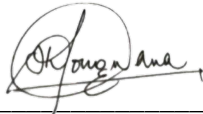
Sail Holdings – Application to terminate the business rescue proceedings of Sail Minerals and to place Sail Minerals in liquidation

6.4. On 13 July 2023, the office of the Deputy Judge President advised *inter alia* that the application has been allocated a hearing date of 4 October 2023.

**Conclusion**

7. The BRP will continue implementing the Plan in accordance with his statutory obligations.
8. All relevant notices in respect of the business rescue proceedings of Sail Minerals can be found on <http://www.sailchrome.com>.
9. Please direct any queries to [BusinessRescue@sailchrome.com](mailto:BusinessRescue@sailchrome.com).

Yours faithfully



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Siviwe Dongwana

(Business Rescue Practitioner of Sail Minerals)