## Companies and Intellectual Property Commission Republic of South Africa

-	
Førm CeR 125.1	Business Rescue Status Report
	Date: 18 AUGUST 2017 Customer Code: WEBCMP
-Anout this Form	Concerning:
es (pag torm alles 60 lis telpis	(Name and Registration Number of Company)
of Sections 182 and 141 of the Community Act, 1705	Name: <u>POCIEWELL RESOLUCES</u> Registration No.: 2005 02327
of Section 2197 and 144 of employing Act 2008 and Regulation 175 of the community Regulations	The above named company commenced business rescue proceedings on
	18 June 100 1
in principal and the attached and the principal and the published and avair affected upersolutions. The commission religious and the	Because the business rescue proceedings have not concluded within three months, the appointed business rescue practitioner provides the attached report in terms of section 132 (3).
His need armed thought it	
and reference of court	
A Avrego prantino de 1908 de el Caraman de como de 1908 de 19	
i Flere's promits of the local	
promedines enclar regula enomologia ervals et se ches	
Contactions the Committees \$10	
THE STANDANG A BABA INTEREST FROM THE CONTRACT OF STANDARD	
	WO TW
en e	TEEVOE MURGATIZOUD
icapital III a po tenera de la comercia del comercia del comercia de la comercia del la comercia de la comercia del la comercia de la comerci	Authorised Signature:
THE RESIDENCE AND A PROPERTY OF THE PROPERTY O	30°



## **Delivered by Email**

## Displayed -

- Registered Office and Principal Place Business of the Company and anywhere where Employees are Employed
- Published on the Website Maintained by the Company and Accessible to Affected Persons

**Attention:** 

**Affected Persons** 

Rockwell Resources RSA Proprietary Limited

**Companies and Intellectual Property Commission** 

businessrescue@cipc.co.za

Northern Cape High Court, Kimberley

18 August 2017

## STATUS REPORT - BUSINESS RESCUE PROCEEDINGS OF ROCKWELL RESOURCES RSA PROPRIETARY LIMITED

- 1. In accordance with section 132(3)(a) and section 132(3)(b) of the Companies Act 71 of 2008, as amended, when the business rescue proceedings of a company have not concluded within 3 months of the date on which they started, a business rescue practitioner is required to
  - a. prepare a report on the progress of the business rescue, and update it at the end of each subsequent month until the end of the business rescue proceedings; and
  - b. deliver the report and each update to each affected person and to the Companies and Intellectual Property Commission and/or the High Court that granted the business rescue order, as the case may be.
- 2. Accordingly, we hereby provide you with the <u>first report</u> on the status of this company's business rescue proceedings.
- 3. Since our appointment
  - a. the first meetings of the creditors and employees of the company was convened on 31 May 2017 and 1 June 2017 respectively. Pursuant to such meeting, no creditors' or employees' committee was formed;
  - a. we have been investigating the affairs of the company in order to determine the nature and quantum of creditors' pre-commencement claims, the status of agreements and transactions, the assets belonging to the company and their corresponding values and to ensure operational stability and cost optimisation;

Company Registration www.rockwelldiamonds.com

No.:

2005/023297/07

VAT

Reg.

4500235165

Registered Office: Rockwell Site Office, Saxendrift Mine, Pixley Ka Seme District Municipality, Douglas. 8730
PO Box 251, Barkly West, Northern Cape, South Africa. 8735 Tel: +27 (0) 53 531 1300 Fax: +27 (0) 86 644 1403
A subsidiary of Rockwell Diamonds Inc.



- b. we have experienced challenges in collating information and verifying its veracity and this exercise has taken more time and resources than initially anticipated;
- we have received limited post-commencement finance, on an ad hoc basis, from Ascot Diamonds Proprietary Limited, which has compounded the already tough circumstances in which the company finds itself;
- d. we have been engaged in the process of investigating a possible transaction aimed at re-positioning and/or restructuring the company's balance sheet; and
- e. by agreement between the parties, the return date for the hearing of the liquidation application instituted against the company was postponed until 3 November 2017.
- 4. We confirm that we are continuing to work towards publishing a business rescue plan on or before 30 September 2017. In the event that this is not possible, we will approach the creditors, and conduct a vote, or approach the court, regarding an extension of the date for the publication of the plan and we will provide a motivation for such extension.
- 5. If you have any queries, they can be directed to the business rescue practitioners on <a href="mailto:businessrescue@rockwelldiamonds.com">businessrescue@rockwelldiamonds.com</a>
- 6. All information pertaining to the business rescue proceedings of this company and all notices published to date can be accessed from the company's website <a href="https://www.rockwelldiamonds.com">www.rockwelldiamonds.com</a>
- 7. We will continue to keep you updated with the progress of these proceedings.

Yours sincerely

Trevor Murgatroyd and Peter van den Steen

Joint Business Rescue Practitioners

**Rockwell Resources RSA Proprietary Limited** 

Company Registration www.rockwelldiamonds.com

No.:

2005/023297/07

VAT

Reg.

4500235165