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**Attention: Affected Persons**  
HC Van Wyk Diamonds Limited

**Companies and Intellectual Property Commission**  
[businessrescue@cipc.co.za](mailto:businessrescue@cipc.co.za)

**Northern Cape High Court, Kimberley**

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**Date: 15 September 2017**

Dear Sirs

**NOTICE IN TERMS OF SECTION 141(2)(a)(i), SECTION 144(3), SECTION 145(1)(a) AND SECTION 146(a) OF THE COMPANIES ACT 71 OF 2008, AS AMENDED**

1. This is an important notice of legal proceedings that may affect you directly. If necessary, please consult your attorneys or other professional advisors for advice.
2. Notice is given in terms of section 141(2)(a)(i), section 144(3)(a), section 145(1)(a) and section 146(a) of the Companies Act 71 of 2008 ("Companies Act") of the legal proceedings instituted by the business rescue practitioners of HC Van Wyk Diamonds Limited ("Company") against the Company.
3. Since the commencement of business rescue on 18 May 2017, the business rescue practitioners have investigated the affairs of the Company to determine whether the Company is capable of being rescued within the meaning of the Companies Act – that is, that the Company will be able to continue to trade on a solvent basis post the termination of the business rescue proceedings or that the business rescue proceedings will achieve a better dividend for affected persons than they would receive in a liquidation of the Company.
4. The business rescue practitioners of the Company have resolved, in terms of section 141(2)(a) of the Companies Act, that there is no longer a reasonable prospect of rescuing the Company and to apply to the High Court of South Africa, Northern Cape Division, Kimberley for an order discontinuing the business rescue proceedings and placing the Company into liquidation.
5. Take note that the application will be heard in court on **Friday, 22 September 2017 at 10h00** or so soon thereafter as the application can be heard, or on such day and at such time to which the court may postpone the hearing of the application.
6. A copy of the application papers is attached to this notice and is also available on the Company's website – [www.rockwelldiamonds.com](http://www.rockwelldiamonds.com). Should you require a printed copy of the application papers, please contact us and we will assist you.
7. As appears from the application papers –
  - a. the Company is commercially and factually insolvent, and is unable to pay its debts;

Company	Registration	No.:	2001/006812/06	VAT	Reg.	4890137518
<a href="http://www.rockwelldiamonds.com">www.rockwelldiamonds.com</a>						

Registered Office: Rockwell Site Office, Saxendrift Mine, Pixley Ka Seme District Municipality, Douglas 8730.

PO Box 251, Barkly West 8375 Tel: (053) 531 1300 Fax: +27 (0)86 644 1403

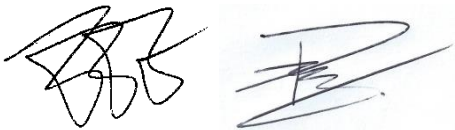
A subsidiary of Rockwell Resources RSA (Pty) Ltd.

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- b. the Company does not have sufficient funds or access to funds to continue in business rescue;
  - c. offers to acquire the shares in and/or assets of the Company have not materialized; and
  - d. the business rescue practitioners have concluded that there is no longer any reasonable prospect of the Company being rescued and that it is necessary to place the Company under urgent provisional winding-up to protect the general body of creditors and affected parties.
8. As an affected party you have a right to participate in these legal proceedings, including to oppose these proceedings. Should you wish to oppose these proceedings or participate in these proceedings, you must furnish us with notice in writing of your intention to do so by 16h00 on **Monday, 18 September 2017** and file your answering affidavits, if any, by no later than 9h00 on **Wednesday, 20 September 2017**.
9. Should you have any queries, please contact us on [businessrescue@rockwelldiamonds.com](mailto:businessrescue@rockwelldiamonds.com)

Yours sincerely

**Trevor Murgatroyd** and **Peter van den Steen**



Joint Business Rescue Practitioners  
**HC Van Wyk Diamonds Limited**

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Directors: Tjaart Willemse, Willem Jacobs