



**ROUX**

PROKUREURS / AKTEVERVAARDIGERS / NOTARISSE  
ATTORNEYS / CONVEYANCERS / NOTARIES

10 May 2022

**TO ALL AFFECTED PERSONS WITH WHOM SOUTH CAPE DISTRIBUTORS (PTY) LTD HAS  
CONCLUDED AGREEMENTS/CONTRACTS**

**SUSPENSION OF OBLIGATIONS IN TERMS OF ANY AND ALL AGREEMENTS WITH  
SOUTH CAPE DISTRIBUTORS (PTY) LTD (UNDER SUPERVISION)**

**REG NO: 2019/131744/07**

**IN TERMS OF SECTION 136 (2) (a) (i) & (ii) OF THE COMPANIES ACT 71 OF 2008  
(HEREINAFTER REFERRED TO AS "*THE ACT*")**

I, Stephanus Abraham Roux in my capacity as duly appointed Business Rescue Practitioner of abovementioned entity herewith entirely suspend all obligations of abovementioned entity in terms of any agreement with any party for the duration of the Business Rescue Proceedings. You are specifically referred to Section 136 (2) (a) (i) & (ii) of the Act in this regard:

*"Subject to subsection (2A), and despite any provision of an agreement to the contrary, during business rescue proceedings, the practitioner may-*

*(a) Entirely, partially or conditionally suspend, for the duration of the business rescue proceedings, any obligation of the company that –*

- (i) arises under an agreement to which the company was a party at the commencement of the business rescue proceedings; and*
- (ii) would otherwise become due during those proceedings".*

I furthermore refer you to Section 136 (3) of the Act:

*"any party to an agreement that has been suspended or cancelled, or any provision which has been suspended or cancelled, in terms of subsection (2), may assert a claim against the Company only for damages" regarding your rights.*

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6 FAIRVIEW BUSINESS PARK  
C/o Knysna Road & 1st Street  
George-East  
6539

Docex: 44 George

SA ROUX BLC LLB

Member of: South African Restructuring and Insolvency  
Practitioners Association - SARIPA

BEE contributor

PO Box 4411  
George-East  
6539

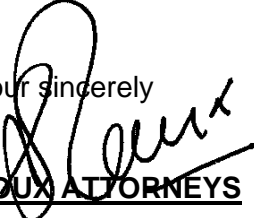
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It is the intention of the Business Rescue Practitioner to further investigate all agreements between the abovementioned entity and any other party. The Business Rescue Practitioner will endeavour to reinstitute obligations as soon as possible in full or in part.

This suspension is done in good faith and in an attempt to assess the situation of the Company and its future and will be dealt with on the basis as set out in Section 7 (k) of the Companies Act:

*“provides for the efficient rescue and recovery of financially distressed Companies, in a manner that balance the rights and interests of all relevant stakeholders”.*

You are invited to contact writer hereof in regard to abovementioned suspension, to enable negotiations and an equitable solution.

Your sincerely  


**ROUX ATTORNEYS**

Per: Fanie Roux

Business Rescue Practitioner

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