

Annexure B.4

(B)

CAPE BASIC PRODUCTS (PTY) LTD (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER: C255/2020

Private Bag X5003, Paarl 7612

2020-11-06

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REPORT by the Joint Liquidators, **CHAVONNES BADENHORST ST CLAIR COOPER** and **TIRHANI SITOS DE SITOS MATHEBULA** to be submitted in terms of Section 402 of the Companies Act No.61, of 1973, as amended, at the Statutory Second Meeting of Creditors, Members and Contributories, convened to be held before the Presiding Officer, Magistrates Court, Paarl, on Friday, 06th NOVEMBER 2020 at 09H00

ORDERS OF THE COURT AND MEETINGS

Cape Basic Products (Pty) Ltd, (herein after referred to as the "Company"), was placed in Provisional Liquidation by Order of the Western Cape High Court, Cape Town on 02nd March 2020. This Order was made final on 30th June 2020. Chavonnes Badenhorst St Clair Cooper and Tirhani Sitos De Sitos Mathebula were appointed Joint Provisional Liquidators by the Master of the High Court, Cape Town, in terms of his Certificate of Appointment dated 17th June 2020. The final Certificate of Appointment was issued on 25 September 2020.

The First Meeting of Creditors was held before the Presiding Officer, Magistrates Court, Paarl on Friday, 18th September 2020. No claims were lodged at the said meeting.

STATUTORY INFORMATION:

REGISTRATION NUMBER: 1993/006987/07
 REGISTERED OFFICE: 9 Louws Avenue, Southern Paarl, Western Cape, 7624
 DIRECTOR: Frederick Calitz Conradie and Friedel Max Hamm

REPORT

We are now to report more fully in terms of Section 402 of the Companies Act, No.61, of 1973, as amended, as follows:

SECTION 402(a) – ASSETS AND LIABILITIES

As at date of liquidation of the Company the assets and liabilities were as per the Notice of Motion and supporting annexures.

ASSETS AND LIABILITIES

ASSETS

<u>Immovable Property</u>	Nil
<u>Movable Property</u>	
Cash found in the account (see note 3)	R unknown
Cash collected through stores	R 346 381.60
Office Equipment & Furniture (Paarl) as per valuation	R 235 365.00
Perishable Stock (George) as per valuation	R 247 541.00
Shop Equipment located in 21 Stores (as per valuation)	R 545 405.00
Perishable Stock located in 21 Stores (as per valuation)	R 775 000.00
Vehicles & Trailers (as per valuation)	R 809 500.00
(see note 4) for the above assets	
2007 Mercedes-Benz ML320 (as per valuation)	R 80 000.00
TOTAL ASSETS	R 3 039 192.60
Shortfall	R 4 058 146.63

LIABILITIES

Secured creditors

Preferent Creditors

SARS

R NIL

Claims in respect of arrear leave severance pay

R 1 304 798.15

Concurrent Creditors

Various Creditors

R 5 792 541.08

TOTAL LIABILITIES

R 7 097 339.23

NOTES

1. The Liquidators are currently investigating the indebtedness to other creditors, a further report will be sent to creditors in this regard if deemed necessary.
2. As can be established from the afore-going report it appears NO danger of contribution exists at this stage.
3. The Liquidators are investigating the credits / debtor payments received in the Absa Bank Account post Liquidation, these funds will need to be paid to the Estate Bank Account for the benefit of all Creditors.
4. The Liquidators applied to the Master for extension of their Powers in terms of Section 386 of the Companies Act to realize and sell the Perishable Goods (Stock) and all movable assets vesting in the Insolvent Estate, the offers received and accepted were in line and above valuation.
5. The Former Directors continued trading after date of Liquidation, the Liquidators have been contacted by numerous creditors who incurred debt after date of liquidation, the Liquidators addressed a letter to the Master requesting their comments on how to deal with the Creditors as the Insolvent Estate vested in the Master until the Certificate of Appointment was issued three months after date of Liquidation, a report will be sent to all affected parties if deemed necessary.

SECTION 402(b): CAUSES OF THE FAILURE OF THE COMPANY

The application was made on grounds that the Company was commercially insolvent and its inability to pay back creditors on a regular basis and due to lack of trading capital.

SECTION 402(c): OFFENCES AND CONTRAVENTIONS

A Statement of Affairs (CM 100) was not lodged by the Director.

SECTION 402(d): PERSONAL LIABILITIES OF DIRECTORS

Substantial information is not available at this stage, which would implicate any director, officer or former director or officer as being liable for damages or compensation to the company as contemplated in the Companies Act, 1973.

SECTION 402(e): LEGAL PROCEEDINGS PENDING OR THREATENED

We have no knowledge of any legal proceedings pending by, or threatened against, the company, as at the date of liquidation, save for pending issues by creditors in the collection of their outstanding accounts.

SECTION 402(f): FURTHER ENQUIRIES

The liquidators are in favor of proceeding with an Enquiry if instructed and funded by a Creditor in terms of section 417 and 418 of the Companies Act, 1973 in order to investigate the affairs of the company.

SECTION 402(g) : ACCOUNTING RECORDS

We did not receive any books and records.

SECTION 402(h) : PROGRESS AND DIVIDEND PROSPECTS

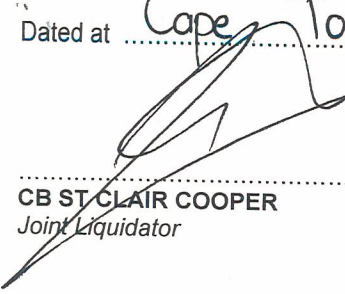
We confirm that at this stage it appears that a danger of a contribution does not exist.

SECTION 402(i) : FURTHER BUSINESS

The Resolutions are submitted with this report and creditors are requested to consider the adoption thereof to enable us to bring the winding up of the estate to a conclusion and strong recommendation is made to consider my report carefully and to adopt the resolutions.

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Dated at Cape Town this 21 day of October 2020


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CB ST CLAIR COOPER
Joint Liquidator

Dated at this day of 2020

.....
TSDS MATHEBULA
Joint Liquidator

Dated at this day of 2020

.....
CB ST CLAIR COOPER
Joint Liquidator

Dated at PRETORIA this 21 day of OCTOBER 2020

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TSDS MATHEBULA
Joint Liquidator