

Friday  
16 April 2021

## **Notice to Employees / Employee representatives**

### **SAFE COMMERCIAL (PTY) LIMITED – Registration No.2008/024851/07** **(In Business Rescue) (“the Company”)**

### **Notice to Employees and Employee representatives of the Company in terms of Section 148 of the Companies Act 71 of 2008, as amended (“the Act”)**

#### **1. Introduction**

- 1.1 The Company commenced business rescue proceedings and was placed under supervision on 8 April 2021.
- 1.2 Stephen Malcolm Gore (“Gore”) and Trevor Philip Glaum (“Glaum”) of Sanek Trust Recovery Services (Pty) Limited were appointed as the Business Rescue Practitioners – “BRPs” of the Company.
- 1.3 In terms of Section 148 of the Act, the BRPs are obliged to convene and preside over a first meeting of employees and/or Employee representatives within ten (10) business days after their appointment.

#### **2. Notice of the First Meeting of Employees and/or Employee Representatives of the Company**

- 2.1 Due to the restrictions imposed as a result of the Covid 19 Pandemic, the meeting will be held by way of video-link.
- 2.2 Notice is hereby given to the Employees and Employee representatives that the appointed BRPs of the Company hereby convene and call the first meeting of the Employees and/or Employee representatives.
- 2.3 The BRPs will preside over the aforesaid meeting, the details of which are as follows:

Venue: By way of a Zoom meeting per attached invite link  
Date: Wednesday, 28 April 2021  
Time: 12h30

#### **3. Agenda for the meeting**

- 3.1 In terms of Section 148 of the Companies Act, the agenda for the first meeting is as follows:-
  - 3.1.1 A summary of the business rescue process and the time constraints relating thereto;

- 3.1.2 The BRPs' view as to whether or not there is a reasonable prospect of rescuing the Company along with related, general information in this regard;
  - 3.1.3 Professional Indemnity cover and occasioned premium;
  - 3.1.4 Submission of claims against the Company to the BRPs;
  - 3.1.5 Consideration and appointment of an employees' committee;
- 3.2 General discussion/questions.

#### **4. Submission of Claims against the Company**

Management will be asked to complete the attached claim forms for signature by the Employees and to e-mail same to [stefne@sanek.co.za](mailto:stefne@sanek.co.za).

#### **5. General**

- 5.1 Employees and the Employee representatives may determine whether or not a committee should be appointed and, if so, may appoint the members of such committee at the meeting.
- 5.2 At the meeting a decision supported by the holders of a simple majority of the independent creditors' voting interests will be the decision of the meeting on that particular matter. Please note that an independent creditor is a person who is a creditor of the Company (who can also be an employee), and who is not related to the Company, the member of the Company or to the BRPs.
- 5.3 Employees are entitled to be represented by legal representatives at the meeting of Employees and Employee representatives.
- 5.4 The meeting is open only to the Employees of the Company and/or Employee representatives, and thus only those persons may be present at the meetings.

Yours faithfully

  
**STEPHEN GORE**

  
**TREVOR GLAUM**

**Duly appointed BRPs of the Company**

## Trevor Glaum - SANEK Trust Recovery Services

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**Subject:** Safe Commercial (Pty) Ltd - 1st Meeting of Employees and Employee representatives  
**Location:** <https://us02web.zoom.us/j/83734784041?pwd=RUIrazZEVFBTUTBhaERGWiBGd1VKZz09>  
**Start:** Wed 2021/04/28 12:30  
**End:** Wed 2021/04/28 14:00  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Trevor Glaum - SANEK Trust Recovery Services

Trevor Glaum is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/83734784041?pwd=RUIrazZEVFBTUTBhaERGWiBGd1VKZz09>

Meeting ID: 837 3478 4041

Passcode: 295703

One tap mobile

+13017158592,,83734784041#,,,,\*295703# US (Washington DC)

+13126266799,,83734784041#,,,,\*295703# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 646 876 9923 US (New York)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 837 3478 4041

Passcode: 295703

Find your local number: <https://us02web.zoom.us/u/koAcdirvc>

Delete inappropriate words.  
(In terms of section 147 of the  
Companies Act, no. 71 of 2008  
["the Companies Act"]).  
Affidavit for the Proof of Claim  
by a Creditor of a Company in  
Business Rescue.



3rd Floor, 5 St. Georges Mall, Cape Town, 8001 PO Box 3082, Cape Town, 8000  
Docex 81, Cape Town, 8000 T: +27 21 418 4010 F: +27 21 425 2047  
Direct fax: 086 610 0650 E: info@sanek.co.za www.sanek.co.za

### AFFIDAVIT FOR PROOF OF CLAIM

IN THE MATTER OF (NAME OF COMPANY IN BUSINESS RESCUE)			
(IN BUSINESS RESCUE)			
NAME IN FULL OF CREDITOR			
ADDRESS IN FULL			
TEL:	FAX:	CELL:	E-MAIL:
PO BOX NO	TOTAL AMOUNT OF CLAIM		
I,	in my capacity as		of
declare under oath/solemnly and sincerely declare			
(1)	That		
which has been placed in business rescue, was, at the date of the commencement of the business rescue, and still is, justly and truly indebted to			
in the sum of (words)			
being for			
(2)	That the said debt arose in the manner and at the time set forth in the account hereunto annexed.		
(3)	That no other person besides the said is liable (otherwise than as surety) for the said debt or any part thereof.		
(4)	That I, the said		
	have/have not, nor has any other person, to my knowledge on my/his/her behalf received any security for the said debt or any part thereof, save and except*		
	Which security the Creditor values at		R
		Signature of Declarant	
Signed and Sworn/Solemnly declared before me on the		day of	20
at		the Deponent having acknowledged that he/she knows and understands the contents of the affidavit.	
		..... COMMISSIONER OF OATHS (Signature and name in full – not initials)	
In my capacity as		for the district of	

This affidavit is free of Stamp Duty

\*Here insert, nature, particulars and value of mortgage, pledge or other security

- Please see attached Notes for completion of Claim Form

**POWER OF ATTORNEY TO PROVE CLAIMS ETC.**

I, the undersigned \_\_\_\_\_

in my capacity as \_\_\_\_\_

of \_\_\_\_\_

(hereinafter referred to as the said Creditor) do hereby nominate constitute and appoint

\_\_\_\_\_ with the power of substitution to be the said Creditor's lawful Attorney and Agent in the said Creditor's name, place and stead, to attend all meetings of Creditors in the matter of

(in business rescue) \_\_\_\_\_

on the said Creditor's behalf to prove the said Creditor's claim, to exercise on the said Creditor's behalf all voting and other powers in respect of such claim particularly in respect of the appointment of a business rescue practitioner, to make proposal/s and vote on the business rescue plan and any amendments thereto, to form and participate in a creditors' committee, and to give the business rescue practitioner directions as to the administration of the company in business rescue and generally to act on the said Creditor's behalf at all meetings of the company in business rescue and in all matters and things in which the said Creditor's interests are concerned, hereby promising to ratify and confirm whatsoever the Agent may do or perform by virtue of these presents.

DATED AT \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

AS WITNESSES:

1. \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

2. \_\_\_\_\_

**SANEK TRUST RECOVERY SERVICES (PTY) LIMITED**

**SALARY/WAGE DETAILS**

**NAME OF COMPANY IN BUSINESS RESCUE:**

\_\_\_\_\_

**NAME OF EMPLOYEE:**

\_\_\_\_\_

**POSITION:**

\_\_\_\_\_

**1**

<b>Gross Salary/Wages per Month/Week:</b>	_____
Paid up to:	_____
Period for which outstanding:	_____
Amount Claimed:	_____

**2**

<b>Leave/Holiday Pay (_____ Days per annum)</b>	
Commencement Date:	_____
Days Leave Accumulated:	_____
Amount Claimed:	_____

**3**

<b>Other: (Please specify.)</b>	
_____	_____
_____	_____
_____	_____