

- Delivered by Email To:** All known Affected Persons of Group Five Construction Proprietary Limited
(In business rescue)
Companies and Intellectual Property Commission
- Displayed:** Registered business address 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
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January 2022

BUSINESS RESCUE STATUS UPDATE REPORT FOR GROUP FIVE CONSTRUCTION PROPRIETARY LIMITED (IN BUSINESS RESCUE) ("COMPANY")

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, the business rescue practitioners ("**BRPs**") are required to –
 - 1.1. prepare a report on the progress of the business rescue proceedings and update it at the end of each subsequent month until the end of the business rescue proceedings; and
 - 1.2. deliver the report and each update to each Affected Person and to the CIPC.
2. Accordingly, we, the BRPs of the Company, hereby provide you with the January 2022 report on the status of the Company's business rescue proceedings.
3. Capitalised words not otherwise defined in this report shall have the meaning ascribed to them in the approved Business Rescue Plan for the Company as published on 30 August 2019 ("**the Plan**").
- 4. Litigation**
 - 4.1. In the December 2021 business rescue update report, Affected Persons were given notice regarding the various ongoing litigation matters that the Company is currently engaged in. This notice was given in light of recent rulings handed down in High Court judgements relating to CNA Operations (Pty) Limited and Timasani (Pty) Limited.

- 4.2. Accordingly, Affected Persons are reminded of the original notice duly given in the December 2021 report and are advised that the below information included in the December 2021 report, which served as the BRPs Notice to Affected Persons of the Company, in terms of section 144(3)(a), section 145(1)(a) and section 146(a) of the Companies Act 71 of 2008, as amended.
- 4.3. The BRPs gave notice of the legal proceedings in which the Company is involved, in accordance with sections 144(3)(a), 145(1)(a) and 146(a) the Companies Act. These matters are listed in the SR1 schedule that is included in the December 2021 report, which is available to view on the company's website at: www.g5.co.za, under the 'Business Rescue' tab.
- 4.4. The notification, which provided a summary of relevant litigation matters, is a statutory notice which was sent to Affected Persons for information purposes, thereby fulfilling the BRPs obligations in terms of, inter alia, sections 144(3)(a), 145(1)(a) and 146(a) the Companies Act.
- 4.5. The BRPs further advise Affected Persons that, should you require further information about any of the proceedings, you may still submit your request, by email, to: lauren@metis.co.za.
- 4.6. In this regard, Affected Persons are reminded that as arbitration and adjudication proceedings are by their very nature private and confidential, and the disclosure of any further information and/or documents in respect thereof would be subject to the consent of the parties to such proceedings

5. General

- 5.1. Asset Disposals and Business Sales – All remaining asset sale processes remain ongoing and in accordance with the Plan. We have successfully completed the sale processes of the majority of the Company's assets.
- 5.2. Construction Projects – Approximately 10 projects are currently ongoing and nearing completion. As previously reported, the majority of the Company's construction projects that were ongoing at the commencement of business rescue proceedings, have been successfully completed, ceded, sold as part of a business sale or terminated.
- 5.3. Closure of entities: The project undertaken to clean up the Group structure and bring relevant financial statements and regulatory filings up to date is well advanced and continues to make progress.

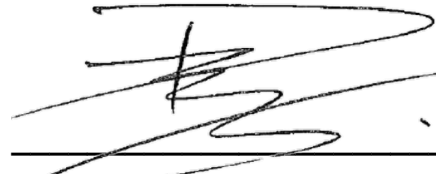
6. Payment of Distributions to Concurrent Creditors

- 6.1. Concurrent Creditors received distributions totalling **6 cents in the Rand** during the course of 2021. This is comparable to the 3.4 cents in the Rand total recovery for Concurrent Creditors that was estimated in the alternative scenario of a liquidation of the Company.
- 6.2. Further Distributions are anticipated, and we will continue to communicate with the relevant Affected Persons regarding the timing and payment of these further distributions, as and when appropriate.
- 6.3. Concurrent Creditors who did not receive payment of the first or second Distribution in April and May 2021 and/or October 2021 are encouraged to contact Nesh Singh, the Group Five Creditors Manager, by email on: nsingh@groupfive.co.za, to confirm your company's Claim, banking details and/or to provide the necessary tax invoice.
7. Please note that this report and all other relevant documents and notices regarding the business rescue proceedings of the Company, to date, have been published on the Company's website at www.g5.co.za, under the 'Business Rescue' tab.

Yours faithfully,



Dave Lake
Business Rescue Practitioner
Group Five Construction (Pty) Ltd



Peter van den Steen
Business Rescue Practitioner
Group Five Construction (Pty) Ltd

**Companies and Intellectual Property Commission
Republic of South Africa**

Form CoR 125.1

About this Form

- This form is issued in terms of section 132 and 141 of the companies Act, 2008, and Regulation 125 of the Companies Regulations, 2011.
- This Notice and the attached report must be published to every affected person, and to-
 - a) The Commission, if the business rescue proceedings were started by the company; or
 - b) The court, if the proceedings were ordered by the court.
- A report and Notice must be issued at the end of the first three months of the business rescue proceedings, and at regular monthly intervals after that

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Postal Address

PO Box 429
Pretoria
0001
Republic of South Africa
Tel: 086 100 2472

www.cipc.co.za

Business Rescue Status Report

Date: 31 January 2022

Customer Code: WERKMP

Concerning

(Name and Registration Number of Company)

Name: Group Five Construction Proprietary Limited

Registration No: 1974/003166/07

The above named company commenced business rescue proceedings on
11 March 2019.

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).

Name and Title of person signing on behalf of the Practitioner:

DAC Lake and PF van den Steen - Joint Business Rescue Practitioners

Authorised Signature:

