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PRE-BUSINESS RESCUE CLAIM FORM

PROOF OF CREDITORS' CLAIM

COMPANY IN BUSINESS RESCUE: _____

REGISTRATION NUMBER: _____ ("the DEBTOR")

1. **Full Name of Creditor :** _____

(hereinafter referred to as "the CREDITOR")

2. **Physical address of Creditor:**_____
_____
3. **Postal Address:**_____
4. **Telephone No.:** _____
5. **Fax No.:**_____
6. **Cellular No.:**_____
7. **Email Address :**_____
8. **VAT Registration No.:**_____
9. **Bank Account Details:**

   Bank Name: _____

   Branch: _____

   Branch Code: _____

   Account Number: _____

   Contact Person: _____

10. **Total amount of Creditor's Claim at the date that business rescue proceedings commenced (Business Rescue Date:** _____**):**

R_____

11. **Cause of action on which Claim is based e.g.**

- Goods sold and delivered,
- Services rendered,
- Monies loaned or advanced
- Other (please describe) _____

12. Details of all security and/or sureties that the Creditor holds for the claim

_____

_____

(Attach copies of all documentation supporting such security held)

which security the Creditor values at R_____

(Note: if the CREDITOR holds no security please state "No Security")

13. Independent Creditor

- **Section 128 1 (g) of the Companies Act 71 of 2008 as amended (herein referred to as the Companies Act") reads as follows:**

(g) “independent creditor” means a person who-

(i) is a creditor of the company, including an employee of the company who is a creditor in terms of section 144(2); and

(ii) is not related to the company, a director, or the practitioner, subject to subsection (2);

- **Section 144(2) of the Companies Act reads as follows:**

(2) To the extent that any remuneration, reimbursement for expenses or other amount of money relating to employment became due and payable by a company to an employee at any time before the beginning of the company’s business rescue proceedings, and had not been paid to that employee immediately before the beginning of those proceedings, the employee is a preferred unsecured creditor of the company for the purposes of this Chapter.

- **Subsection (2) of Section 128 of the Companies Act reads as follows:**

(2) For the purpose of subsection (1)(g), an employee of a company is not related to that company solely as a result of being a member of a trade union that holds securities of that company.

Is the creditor an independent creditor as contemplated in section 128 (1)(g) of the Companies Act Yes / No?

If the answer is No, please give reasons:

_____

_____

14. Should a statement of account not be attached then please complete pages 3 and 4.

Registration: 2025/060411/07
VAT:

STATEMENT OF ACCOUNT

BRIEF DESCRIPTION OF GOODS SUPPLIED OR NATURE OF SERVICES RENDERED (e.g. Services Rendered, Spares, Equipment, Fuel, Rent etc.):

_____

_____

Details of Sales/Services

Date	Invoice No.	Amount	Monthly total (not cumulative)

R_____

Total debits "A'"

COMETA MINECO (PTY) LTD
5th Floor The Hudson, 30 Hudson Street, De Waterkant, Cape Town, 8001
info@cometa.co | 021 300 8880

Details of Payments received, and Credits allowed

Date	Payments or credits (specify	Amount	Monthly total (not cumulative)

R_____

Total credits "B"

If no payments were received, or credits given, state "NIL" under "B".

AMOUNT OF CLAIM AS PER ATTACHED STATEMENT OF ACCOUNT OR THE SUM OF PAGES 4 & 5 = R_____

Dated at _____ this the _____day of_____2026

_____

Full Signature

_____

Creditor Name

_____

Capacity of person signing