

23 August 2022

## CIRCULAR 29

THIS DOCUMENT IS A CIRCULAR TO THE AFFECTED PERSONS RELATING TO THE BUSINESS RESCUE PROCESS OF **UPAHLA CONSTRUCTION** IN TERMS OF THE COMPANIES ACT, 71 OF 2008 AS AMENDED (THE ACT).

### NOTICE OF THE MEETING TO VOTE ON THE PROPOSED BUSINESS RESCUE PLAN

The practitioners wish to advise the affected persons of a meeting to be held in terms of section 151 and section 152 of the Act for the voting on the proposed business rescue plan for Upahla Construction.

As per the previous communications sent, Upahla Construction (“the business”) commenced Business Rescue Proceedings in terms of Chapter 6 of the Companies Act 71 of 2008 on the 23<sup>rd</sup> of November 2021.

Furthermore, Mr. Quinton (Pat) Pattinson and Mr. David Masterton received their notices of appointment as the business rescue practitioners on the 24<sup>th</sup> of November 2021.

Further, a proposed Business Rescue Plan was published to all the affected persons known to the Practitioners.

At the meeting referred to above, the Business Rescue Practitioners will preside over the meeting and consider all suggested amendments of the plan and conditions asset out in Section 152 of the Act.

**Details of the meeting:**

**Date** : 5 September 2022

**Time:** : 10:00am

**Place:** : Nolands Boardroom,  
Building 5, Waterfront Business Park, 9  
Pommern Street, Humerail, Port Elizabeth  
6070

**PLEASE NOTE:** : **This meeting will be held in person and will be face to face with the creditors and the practitioners. The reason for this is because the Covid restrictions have officially been lifted and therefore virtual meetings are no longer the favourable option when voting on a proposed business rescue plan.**

**Required:** : **This is not a compulsory meeting, but attendance is advised as a vote on the proposed Business Rescue Plan will take place.**

**Please note:** The person representing a creditor during the meeting to vote, needs to be the appointed public officer or the appointed proxy of the creditor to vote on behalf of that creditor.

If there are any affected persons who require further information, please feel free to contact the practitioners directly or alternatively email the assistant Mr Jaco Durandt – all of who's email addresses and cell numbers reflect below.

**Agenda of the meeting:**

- Voting on the proposed business rescue plan as published to the affected persons.

Kind Regards

Quinton Pattinson  
[patp@businessrescue360.co.za](mailto:patp@businessrescue360.co.za)  
082 749 6462

David Masterton  
[david@businessrescue360.co.za](mailto:david@businessrescue360.co.za)  
082 569 3813

Jaco Durandt (Assistant)  
[jaco@pe-paralegal.co.za](mailto:jaco@pe-paralegal.co.za)  
076 773 4595