



**SOUTH AFRICAN AIRWAYS**

South African Airways  
Airways Park, Jones Road  
OR Tambo International Airport  
Johannesburg, South Africa.

Private Bag X13  
OR Tambo International Airport,  
1627

Dear Affected Persons

**NOTICE TO AFFECTED PERSONS OF THE INSTITUTION OF COURT PROCEEDINGS BY SA AIRLINK PROPRIETARY LIMITED AGAINST SOUTH AFRICAN AIRWAYS SOC LIMITED AND OTHERS IN THE HIGH COURT OF SOUTH AFRICA, GAUTENG LOCAL DIVISION, JOHANNESBURG [CASE NUMBER TO BE ADVISED] ON 20 JUNE 2020**

1. Please note that pursuant to the provisions of section 144, 145 and 146 of the Companies Act 71 of 2008, as amended (“the Companies Act”), notice is hereby given to all affected persons of urgent court proceedings which have been instituted by SA Airlink Proprietary Limited (“Airlink”) against South African Airways SOC Limited (“the Company”), the business rescue practitioners (“the BRPs”) and one other, in the High Court of South Africa, Gauteng Local Division, Johannesburg (“the Court”). Please note that no case number has yet been allocated for this application.
2. On 20 June 2020 Airlink delivered an application out of the Court for an order on the following terms:
  - 2.1. An urgent application, to be heard on 23 June 2020, which constitutes Part A to the relief sought by Airlink, in terms of which:
    - 2.1.1. Pending the latest of the final determination of the relief sought in Part B (detailed below in 2.2) the delivery of the notice in terms of section 151(2) of the Companies Act and the delivery of the notice contemplated in section 145(5) of the Companies Act:
      - 2.1.1.1. Interdicting the BRPs from convening or holding any meeting to consider the business rescue plan in respect of the Company proposed by the BRPs under section 151 of the Companies Act (“the Proposed Plan”);

**Directors**

TN Mgoduso\* (Acting Executive Chairperson), Z Ramasia (Acting Group Chief Executive Officer), DJ Fredericks (Interim Chief Financial Officer), Al Bassa\*, ML Kingston\*, HP Maluleka\*, AH Moosa\*, G Rothschild\*, MP Tshisevhe\*

\*Non-Executive Director  
† British Citizen

Company Secretary – RN Kibuuka

South African Airways SOC Ltd

Reg. No. 1997/022444/30

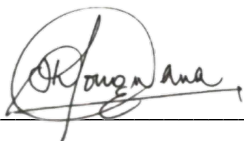
A STAR ALLIANCE MEMBER 

- 2.1.1.2. Interdicting the BRPs from introducing the Proposed Plan and calling for or conducting a vote for the preliminary approval of the Proposed Plan under section 152 of the Companies Act; and/or
      - 2.1.1.3. Interdicting the BRPs from inviting discussion and entertaining or conducting a vote on any motion relating to or concerning the Proposed Plan including any motion as provided for under section 152(1)(d) of the Companies Act.
    - 2.1.2. Directing the Company and/or the Company and the BRPs within 2 calendar days to provide Airlink with copies of all minutes from meetings of the board of directors or any committee of the board of directors of the Company in which the following issues were debated, considered, discussed or voted upon:
      - 2.1.2.1. Placing the Company under business rescue; or
      - 2.1.2.2. The prospects of rescuing the Company.
    - 2.1.3. Directing the Company and/or the Company and the BRPs to provide the Applicant within 2 calendar days with copies of all correspondence and/or documents pertaining to instructions or communication from the Shareholder (Government) or the Minister of Public Enterprises to the board of directors of the Company, regarding placing the Company under business rescue or the prospects of rescuing the Company.
  - 2.2. An application, to be heard in the ordinary course, which constitutes Part B to the relief sought by Airlink, in terms of which:
    - 2.2.1. It is ordered that the resolution adopted by the Company placing the Company under business rescue, dated 5 December 2019 (“the Resolution”) is set aside alternatively, declaring that the business rescue proceedings have terminated due to the failure by the BRPs to publish the Proposed Plan within the required time to do so;
    - 2.2.2. Declaring that there are now no reasonable prospects of rescuing the Company;
    - 2.2.3. Declaring that, at the time that the Resolution was taken, the board of the Company could not have had reasonable grounds to believe that there appeared to be reasonable prospects of rescuing the Company;

- 2.2.4. Ordering that the Company be placed under provisional liquidation;
- 2.2.5. That a *rule nisi* be issued calling upon all persons interested or otherwise affected to show cause, if any, on a date to be determined by the above Honourable Court, why the Company should not be placed under final liquidation;
- 2.2.6. Ordering that the appointment of the BRPs as business rescue practitioners of the Company be set aside, alternatively removed the BRPs as business rescue practitioners of the Company;
- 2.2.7. In the event that the orders sought in 2.2.1 to 2.2.4 are not granted, that the Court appoint an alternative business rescue practitioner who satisfies the requirements of section 138 of the Companies Act, recommended by, or acceptable to, the holders of a majority of the independent creditors' voting interest who were represented in the hearing before the Court, alternatively that the board of directors of the Company appoint a new business rescue practitioner within 10 days of an order;

3. The BRPs intend opposing the application and shall file an answering affidavit within the requisite time period.

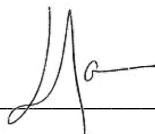
Yours faithfully



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Siviwe Dongwana

Joint Business Rescue Practitioner



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Leslie Matuson

Joint Business Rescue Practitioner