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February 2022

Attention: **All Affected Persons of Edcon Limited (in business rescue) (“Edcon”)**

**RE: REPORT ON THE PROGRESS OF THE BUSINESS RESCUE PROCEEDINGS OF EDCON**

**Introduction**

1. In terms of section 132(3) of the Companies Act 71 of 2008 (“Act”), if a company’s business rescue proceedings have not ended within three (3) months after the start of those proceedings, or such longer time as the Court, on application by the practitioner, may allow, the practitioner must –
  - 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 those proceedings; and
  - 1.2. deliver the report and each update in the prescribed manner to each affected person, and to the:
    - 1.2.1. Court, if the proceedings have been the subject of a court order; or
    - 1.2.2. Commission, in any other case.
2. Therefore, as required, this **Update Report** is being delivered by the business rescue practitioners of Edcon (“**BRPs**”) in terms of section 132(3) of the Act.
3. Reference is made in this Update Report to the adopted business rescue plan (“**Plan**”). Any capitalised terms not defined herein shall have the meaning ascribed to same in the Plan. It is therefore important that this Update Report be read in conjunction with the Plan and the previous update reports.

## **Business Rescue Proceedings**

### 4. Sale of Remaining IT Assets

The BRPs are still in the process of selling certain used servers. Should any Affected Person be, or know of someone who might be, interested in any of the available servers, please contact the BRPs at [info@edconbr.co.za](mailto:info@edconbr.co.za),

### 5. Landlords

#### 5.1. PCF Claims

5.1.1. The BRPs have commenced with the payment of Landlord PCF Claims in accordance with the amounts that have been accepted by the BRPs.

5.1.2. To date, Landlord PCF Claims relating to 364 stores, with payments totalling R276 million, have been settled in full.

#### 5.2. Pre-Commencement Claims

5.2.1. The BRPs have commenced with the notification of the status of Landlords' Pre-Commencement Claims.

5.2.2. To date, a total amount of R1.5 million has been paid in terms of the interim Distribution to Landlords' Pre-Commencement Claims.

### 6. Proof of Claims

6.1. The Pre-Commencement Claims submission period has closed.

6.2. Please direct any queries relating to Claims to [creditors@edconbr.co.za](mailto:creditors@edconbr.co.za).

6.3. The BRPs have almost completed the process of reconciling the Claims received and will communicate with those remaining Creditors, individually, regarding the status of their Claims.

6.4. To the extent that any Claims are disputed, paragraph 39 of the Plan makes provision for a dispute resolution mechanism.

## **Dividends**

7. As advised in the previous update report, the BRPs made an interim Distribution to those Concurrent Creditors:

7.1. whose claims were not subject to any dispute;

7.2. whose claims had been proved and accepted in writing by the BRPs; and

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Directors: G M Pattison | A R Bisogno

Group Secretary: C M Vikisi

Edcon Limited Registration No. 2007/003525/06 Credit Provider Number: NCRCP82

- 7.3. who completed the online bank form available at [www.matusonassociates.co.za/edcon1/](http://www.matusonassociates.co.za/edcon1/).
8. To date, a total amount of R25 million has been paid in terms of the interim Distribution to compliant Concurrent Creditors.
9. For the avoidance of any doubt:
- 9.1. the interim Distribution was made on the amount accepted in writing by the BRPs and not on the original amount reflected on the claim form submitted;
- 9.2. Concurrent Creditors who lodged Claims which are still in the process of being proved and/or reconciled did not receive the interim Distribution, however, such Concurrent Creditors will receive the interim Distribution upon their Claim being proved and accepted in writing by the BRPs; and
- 9.3. Creditors who have disputed Claims did not receive any interim Distribution and will not receive any interim Distribution until such time as: (i) the dispute has been resolved; and (ii) the dispute has been resolved in favour of such Creditor.
10. Creditors are advised that the interim Distribution was not the final Distribution and that further Distributions will be made once the BRPs have *inter alia* reconciled and finalised all Claims, including disputed Claims.
11. **There are a number of Concurrent Creditors who complied with paragraphs 7.1 and 7.2, but did not comply with paragraph 7.3 (i.e. did not complete the online bank form). These Concurrent Creditors are urged to complete the online bank form available at [www.matusonassociates.co.za/edcon1/](http://www.matusonassociates.co.za/edcon1/) as soon as possible. This will enable the BRPs to make the interim Distribution to such complying Concurrent Creditors. Until such time as the online bank form has been completed, the BRPs are unable to make any payment to these Concurrent Creditors.**
12. **Please note that Secured Creditors and Landlords do not need to complete the online bank form.**
13. The FAQ document relating to the interim Distribution and the payment of a dividend to Concurrent Creditors is available on [www.matusonassociates.co.za/edcon](http://www.matusonassociates.co.za/edcon)

## **Conclusion**

14. The BRPs will continue implementing the Plan in accordance with their statutory obligations.
15. All relevant notices in respect of the business rescue proceedings of Edcon can be found on [www.matusonassociates.co.za/edcon](http://www.matusonassociates.co.za/edcon).

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