

11/6/1330

Companies and Intellectual Property Commission  
Republic of South Africa

Form CoR 123.1

About this Form

- This form is issued in terms of section 129 and 131 of the Companies Act, 2008, and Regulation 123 of the Companies Regulations, 2011.
- A company resolution to committee business rescue proceedings has no force or effect until it has been filed with this notice.
- This notice must be published to every affected person within 5 business days after -
  - (a) It has been filed, in the case of a resolution; or
  - (b) The date of the court order, in such a case.
- If this Notice is issued following a board resolution-
  - (a) The company must appoint a business rescue practitioner with 5 business days after filing this notice ; and
  - (b) Any affected person may apply to a court in terms of section 130 for an order setting aside the resolution.
- The fee for filing this notice is R0.

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

Notice of Beginning of Business Rescue Proceedings

Date: 10 October 2017

Customer Code: AGCOBI

Concerning

(Name and Registration Number of Company)

Name: Inca Masonry Products (Pty) Ltd

Registration No: 2005/019702/07

The above named company advises that business rescue proceedings have commenced in terms of Chapter 6 of the Companies Act, as a result of:

The Board of the company having adopted the attached resolution in terms section 129, on 9 October 2017

A Court having made the attached order in terms of section 131, on \_\_\_\_\_

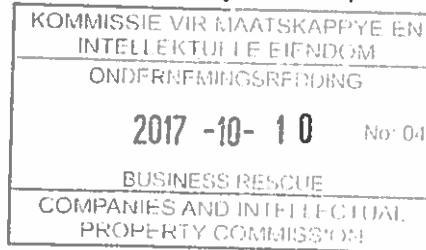
In terms of section 132 (1)(a), the company's business rescue proceedings commenced on 10 October 2017, being the date on which:

This notice was filed with the Commission.

The court issued the attached order.

(Only in the case of a company resolution)

In support of this Notice, the company has attached a sworn statement of the relevant facts upon which the resolution was founded by a director representing the Board.



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

Zolile Tini, Director

Authorised Signature:

**INCA MASONRY PRODUCTS (PTY) LTD**

**SWORN STATEMENT OF DIRECTOR OF THE RELEVANT FACTS UPON WHICH THE RESOLUTION PLACING THE COMPANY INTO BUSINESS RESCUE PROCEEDINGS WAS MADE ON 09 OCTOBER 2017.**

Zolile Tini Id number (610808 5531 080) swears that:

Inca Masonry Products (Pty) Ltd (Registration Number: 2005/019702/07) ("the company") is in financial distress as a result of the following:

- Cash flow challenges due to prolonged working capital cycle;
- Accumulation of debts;
- As a result, the company is unable to meet its present financial commitments and is being pressurised by creditors;

The director is of the opinion that the Business Rescue Process will enable the company to:

- Recover overdue and outstanding debtors.
- Negotiate new terms and conditions of trade with major suppliers.
- Bring onboard a potential investor to take up shareholding in the company.
- Take whatever reconstructive steps are necessary.
- Raise Post Commencement Finance to address the funding challenges of the company.

The company currently conducts its business from Mdantsane Access Road, East London, 5206.

There is currently no pending litigation against the company.

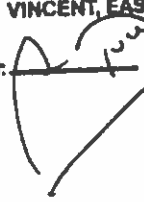
  
\_\_\_\_\_  
Zolile Tini (Director)

**SWORN AFFIDAVIT**

"I know and understand the contents of this declaration. I have no objection in taking down the prescribed oath. I consider the prescribed oath to be binding on my conscience."

I certify that the deponent acknowledges the contents of this statements. This statement was sworn to before me and the deponent's signature was placed thereon in my presence at EAST LONDON on 9 October 2017 and that the requirements of the Regulations as prescribed in Government Gazette No R1258 dated July 1972 as amended in Government Gazette No 1648 dated August 1977 and No 19033 dated 10 July 1998, have been adhered to.

\_\_\_\_\_  
COMMISSIONER OF OATHS  
Name S. Bruce  
Designation CA SA  
Address 20 FLEET ROAD  
VINCENT  
EAST LONDON  
5241

**STEPHEN ROBERT BRUCE CA (SA)**  
COMMISSIONER OF OATHS  
CNR FRERE & LANCASTER ROAD  
VINCENT, EAST LONDON  
SIGN:  DATE: 9/10/2016

KOMMISSIE VIR MAATSKAPPYE EN INTELLEKTUELE EIENDOM	
ONDERNEMINGSREDDING	
2017 -10- 10	No 04
BUSINESS RESCUE COMPANIES AND INTELLECTUAL PROPERTY COMMISSION	

**INCA MASONRY PRODUCTS (PTY) LTD**

Company Registration 2005/019702/07

**RESOLUTION OF THE BOARD OF DIRECTORS PURSUANT TO A MEETING HELD AT THE OFFICES OF INCA MASONRY (PTY) LTD ON 09 OCTOBER 2017.**

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**DIRECTORS PRESENT:** ZOLILE TINI, BONGIWE GABELANA, ANGUS SMART

**RESOLUTION TO PLACE THE COMPANY INTO VOLUNTARY BUSINESS RESCUE**

**BACKGROUND:**

It was noted that:

1. The company is financially distressed and it appears to be reasonably unlikely that the company will be able to pay all its debts as they fall due and payable within the next six months.
2. The directors believe that there appears to be a reasonable prospect of restructuring the company.

**IT WAS RESOLVED:**

1. That the company, (Inca Masonry Products (Pty) Ltd (Registration Number 2005/019702/07) be placed under Voluntary Business Rescue Proceedings in terms of Chapter 6 of the Companies Act 2008;
2. That Zolile Tini (ID Number: 610808 5531 080) be authorized to depose, sign and give effect to any documentation, court process or anything required to give effect to the Business Rescue Proceedings including lodging:
  - The notice to begin Business Rescue Proceedings (Cor 123.1) with C.I.P.C.
  - A sworn statement to C.I.P.C. of the relevant facts upon which decision to place the company into business rescue proceedings was made.
3. That Siphon Eric Sono (ID Number 660925 5795 082) be appointed as the Business Rescue Practitioner with immediate effect and to do whatsoever is necessary to comply with Chapter 6 of the Companies Act 2008.

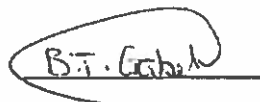
Signed on this day \_\_\_\_\_ of \_\_\_\_\_ 2017

Herewith certified as true extract of the Board meeting minutes.



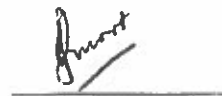
Mr. Zolile Tini

Director



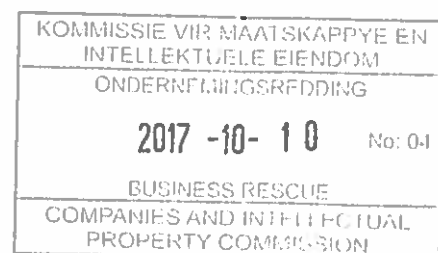
Ms Bongliwe Gabelana

Director



Mr. Angus Smart

Director



**INCA MASONRY PRODUCTS (PTY) LTD**  
Company Registration 2005/019702/07

**RESOLUTION OF THE BOARD OF DIRECTORS PASSED PURSUANT TO SECTION 57 (3) OF THE COMPANIES ACT 2008, HELD AT THE OFFICES OF INCA MASONRY PRODUCTS (PTY) LTD ON 09 OCTOBER 2017.**

**DIRECTORS PRESENT:** ZOLILE TINI, BONGIWE GABELANA, ANGUS SMART

**RESOLUTION TO PLACE THE COMPANY INTO VOLUNTARY BUSINESS RESCUE**

**BACKGROUND:**  
It was noted that:

1. The company is financially distressed and it appears to be reasonably unlikely that the company will be able to pay all of its debts as they fall due and payable within the next six months.
2. The directors believes that there appears to be a reasonable prospect of rescuing the company.

**IT WAS RESOLVED:**

1. That the company, (Inca Masonry Products (Pty) Ltd (Registration Number 2005/019702/07) be placed under Voluntarily Business Rescue Proceedings in terms of sec 129 (l) of Chapter 6 of the Companies Act 2008;
2. That Zolile Tini (ID Number: 610808 5531 080) be authorized to depose, sign and give effect to any documentation, court process or anything required to give effect to the Business Rescue Proceedings including lodging:
  - The Notice to begin Business Rescue Proceedings (CoR 123.1) with C.I.P.C.
  - A sworn statement to C.I.P.C. of the relevant facts upon which the decision to place the company into business rescue proceedings was made.
3. That Siphon Eric Sono (ID number 660925 5795 082) be appointed as the Business Rescue Practitioner with immediate effect and to do whatsoever is necessary to comply with Chapter 6 of the Companies Act 2008.

Signed on this day 09 of OCTOBER 2017  
Herewith certified as a true extract of the Board meeting minutes.



**Mr. Zolile Tini**  
Managing Director  
Inca Masonry Products (Pty) Ltd

KOMMISSIE VIR MAATSKAPPYE EN INTELLEKTUELE EIENDOM	
ONDERNEMINGSRESCUE	
2017 -10- 10	No: 01
BUSINESS RESCUE	
COMPANIES AND INTELLECTUAL PROPERTY COMMISSION	



9 October 2017

OPIS ADVISORY (PTY) LTD  
43 Montrose Street  
Birchwood Court  
First floor, South Wing  
Midrand  
1687

Dear sirs,

**BUSINESS RESCUE PROCEEDINGS OF INCA MASONRY PRODUCTS (PTY) LTD.**

The above matter refers.

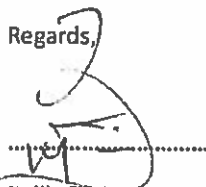
We appoint Siphon Eric Sono as the Business Rescue Practitioner of Inca Masonry Products (Pty) Ltd.

The Company has 31 salaried employees and the Company operates as concrete masonry products.

The Company has a PI score of 118 as illustrated in attached document.

Kindly furnish us with your letter of acceptance at your earliest convenience.

Regards,

  
Zolile Tini



**EAST LONDON**

TEL: 043 745 1215/81/83  
087 941 4900  
FAX: 043 745 1501  
MDANTSANE ACCESS ROAD  
EAST LONDON  
BOX 3208 CAMBRIDGE 5206  
EMAIL: [Inca@incaeasterncape.co.za](mailto:Inca@incaeasterncape.co.za)  
WEBSITE ADDRESS:  
[www.incaeasterncape.co.za](http://www.incaeasterncape.co.za)

**MTHATHA**

TEL: 047 532 6206  
FAX: 047 532 6823  
TERMINUS ROAD  
VULINDLELA HEIGHTS  
PRIVATE BAG X 5220  
MTHATHA 5099

**DIRECTORS**

ZM TINI (Managing)  
B GABELANA

**INCA**

Reg. No. 2005/019702/07