



**CREDITORS  
PROOF OF CLAIM FORM**

**IFA FAIR-ZIM HOTEL AND RESORT (PTY) LTD  
REGISTRATION NUMBER : 2006/038614/07  
(IN BUSINESS RESCUE)  
("the DEBTOR")**

1. Full Name of Creditor : \_\_\_\_\_  
(hereinafter referred to as "the CREDITOR")
2. Physical address of Creditor: \_\_\_\_\_
3. Postal Address: \_\_\_\_\_
4. Contact Person: \_\_\_\_\_
5. Telephone No. : \_\_\_\_\_
6. Fax No.: \_\_\_\_\_
7. Cellular No.: \_\_\_\_\_
8. Email Address: \_\_\_\_\_
9. VAT Registration No.: \_\_\_\_\_
10. Bank Account Details: \_\_\_\_\_  
 Bank Name: \_\_\_\_\_  
 Branch: \_\_\_\_\_  
 Branch Code: \_\_\_\_\_  
 Account Number: \_\_\_\_\_
10. Total amount of creditors claim as at the date of commencement of business rescue proceedings of the Debtor (16 September 2020): R
11. Cause of action on which claim is based e.g.  
 • Goods sold and delivered,  
 • Services rendered,  
 • Monies loaned or advanced,  
 • Etc.

**(Attach copies of all supporting documentation for such amounts e.g invoices, statements, loan agreements)**

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**IFA FAIR-ZIM HOTEL & RESORT (PTY) LTD**

5 Corkwood Drive, Zimbali Coastal Resort, KwaZulu-Natal, South Africa.  
P O Box 12, Zimbali, 4422, South Africa. Tel: +27 32 538-1205. Fax: +27 32 538-1295.

Director : W J Burger

Registration No. 2006/038614/07



12. Details of all security that the creditor holds for the claim

**(Attach copies of all documentation supporting such security)**

which security the Creditor values at

**(Note: if the CREDITOR holds no security 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 71 of 2008 as amended**

Yes  No

**If the above answer is No, please give details as to why the creditor is not an independent creditor as contemplated in section 128(1)(g) of the Companies Act:**


14. The amount of the above claim arose in the manner and on the dates set forth in the Statement of Account that forms part of this Proof of Claim Form (Pages 3 to 4 of this Proof of Claim Form).



**NOTES TO ASSIST IN COMPLETION OF CLAIM DOCUMENTS**

The below statement of account must be completed by the creditor and must reflect full and precise details of the claim against IFA FAIR-ZIM HOTEL AND RESORT (PTY) LTD, for example full and precise details of all sales made to IFA FAIR-ZIM HOTEL AND RESORT (PTY) LTD and/or services rendered to IFA FAIR-ZIM HOTEL AND RESORT (PTY) LTD the date/s of each such sale or services rendered, details of all invoice numbers, the amount of each invoice and the total of all sales made and/or services rendered.

The statement should also include:

- details of all payments received and credits allowed and the dates of each such payment or credit, as the case may be;
- details for a period of twelve (12) months before the date of commencement of the Business Rescue Proceedings (15 September 2020) or if your cause of action arose prior to 12 months, from the date that you commenced doing business with IFA FAIR-ZIM HOTEL AND RESORT (PTY) LTD;
- details of all and any security held by the Creditor should be provided together with copies of all and any security documents.

**STATEMENT OF ACCOUNT**

**BRIEF DESCRIPTION OF GOODS SUPPLIED OR NATURE OF SERVICES RENDERED  
(e.g. clothing, groceries, etc.; security services, plumbing services, etc.):**

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**Details of sales/services**

Date	Invoice No.	Amount	Monthly totals (Not Cumulative)

R
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TOTAL DEBITS "A"



**Details of payments received and credits allowed:**

Date	Payments or credits (specify)	Amount	Monthly totals (Not Cumulative)

R
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TOTAL CREDITS "B"

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

AMOUNT OF CLAIM AS PER NOTES i.e. "A" less "B" = 

R
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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

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FULL SIGNATURE

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CREDITOR NAME

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CAPACITY OF PERSON SIGNING