



The  Factor in the Fashion Industry

CUSTOM DESIGNED  LOCALLY MANUFACTURED  QUALITY DELIVERED

ADDRESS: 14 KLINKER PLACE, BRIARDENE, DURBAN 4052

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WWW.FASHIONX.CO.ZA

CREDITORS

PROOF OF CLAIM FORM

FASHION X MANUFACTURING (PTY) LTD
REGISTRATION NUMBER : 2017/443761/07
(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. Telephone No. :

5. Fax No. :

6. Cellular No. :

7. Email Address :

8. VAT Registration No. :

9. Bank Account Details:

Bank Name:

Branch :

Branch Code:

Account Number : _____

Contact Person : _____

10. Total amount of creditors
Claim as at the date that business
rescue proceedings commenced of
the Debtor
(10 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 such amounts e.g Invoices,
statements, loan agreements)

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 R _____.

(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 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. The details are as follows:

** Delete whichever is not applicable.

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 4 to 5 of this Proof of this Proof of Claim Form).

NOTES TO ASSIST IN COMPLETION OF CLAIM DOCUMENTS

The above statement of account must be completed by the creditor and must reflect full and precise details of your claim against FASHION X MANUFACTURING (PTY) LTD, for example full and precise details of all sales made to FASHION X MANUFACTURING (PTY) LTD and/or services rendered to FASHION X MANUFACTURING (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 (10 September 2020) or if your cause of action arose prior to 12 months, from the date that you commenced doing business with FASHION X MANUFACTURING (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.):

Details of sales/Services

Date	Invoice No.	Amount	Monthly totals (Not Cumulative)

R _____
TOTAL DEBITS "A"

Details of payments received and credit 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 CLAIM i.e. "A" less "B" = R _____

Dated at _____ this _____ day of _____ 2020.

Full Signature

Creditor Name

Capacity of person signing