

SAXUM

INSURANCE
(IN LIQUIDATION)

MUA Building, 2nd Floor, 26 Sturdee Avenue, Rosebank, 2196
P.O. Box 1634, Houghton, 2041
Tel: +27 (0) 11 694 5900 Fax: +27 (0) 86 212 0859

Insurance Claimants:
claimslig@saxuminsurance.com

Creditors:
creditorslig@saxuminsurance.com

15 March 2017

TO ALL KNOWN CREDITORS, EMPLOYEES, POLICYHOLDERS AND STAKEHOLDERS OF SAXUM INSURANCE LIMITED (IN LIQUIDATION) (MASTER'S REFERENCE NUMBER G1076/2016)

CIRCULAR NUMBER 3(2)

1 Introduction

1.1 Please note that this Circular retracts and replaces Circular 3 published on 5 December 2016. Your attention is specially drawn to paragraphs 3.3 and 3.10 below which have been added in relation to the required submission of original claim documents.

1.2 This company remains in liquidation.

1.3 On 28 November 2016, we were appointed by the Master of the High Court as joint final liquidators.

2 In this circular, we address the following issues:

2.1 the processing of "current and new insurance claims" in the ordinary course of business; and

2.2 the payment of claims.

3 Processing of "current and new insurance claims" in the ordinary course of business

3.1 All insurance claims received by SaXum will continue to be processed and administered by the SaXum claims department, under the supervision of the liquidators.

3.2 All "new insurance claims" (meaning claims submitted to SaXum after the commencement of its winding up) must be submitted by email to: claimslig@saxuminsurance.com

3.3 The original claim document will need to be lodged as proof at a meeting of the creditors as the Master of the High Court will not accept any email copies of claims. Therefore, following the electronic submission of any "new insurance claims" to the email address above, the original claim document should also be sent to the following address:

Directors: Dr. J.A.J. Schalch (Chairman)* R.W. Killops* K.I. Vennell* M. Hankins*
*Non-Executive "Swiss"

Liquidators:

H Kaplan (First City Katleho)
Honey Chambers
Kenneth Kaunda Drive
Bloemfontein

NAG Omar (Khammissa Attorneys)
98 Doreen Street
Pretoria

Wn Jacobs (Mayibuye Trust)
157 Waggel Street
La-Montagne
Pretoria

BB Mahlatsi (Van Rooyen-Fischer Trustees)
Forum Building, Ground Floor,
337 Veale Street, Brooklyn, Pretoria

(T) (051) 403 6685

(T) (012) 342 9944

(T) (021) 804 0393

(T) (012) 346 7430

P.O. Box 4078
Rivonia
2018

- 3.4 A representative from the SaXum claims department will acknowledge receipt of the “new insurance claims” by return email to the policyholder or broker who submitted the claim.
- 3.5 All insurance claims, including current claims that have already been submitted to SaXum as at the date of liquidation and/or the date of this circular, will be processed in the ordinary course by the SaXum claims department, under the supervision of the liquidators.
- 3.6 Policyholders and/or brokers may follow up on the progress of their claims by sending an email to claimslq@saxuminsurance.com or by calling this number 011 694 5900.
- 3.7 SaXum claims department will advise the policyholder or broker whether or not the policyholder is entitled to payment under the insurance policy in respect of the claim. The continued administration of claims in this manner by the SaXum claims department, under the supervision of the liquidators, must not be regarded by any policyholder or broker as a guarantee that the claim, if accepted, will be discharged in full by the company. All claims, if accepted, will be dealt with according to the laws of insolvency. The policyholder will have the same rights under the policy in the event of a claim being rejected.
- 3.8 In addition to the submission of claims as set out in paragraph 3.2 of this circular, policyholders must also lodge a claim against the insolvent estate of SaXum for the amount that they submitted a claim in terms of paragraph 3.2 of this circular (we will refer to this claim as a **liquidation claim**).
- 3.9 To lodge a liquidation claim, a policyholder must sign and have commissioned the attached affidavit setting out details of the liquidation claim. The signed and commissioned affidavit, together with supporting documents, must be sent to us by email to saxum@katleho.co.za.
- 3.10 The original liquidation claim documents will also need to be lodged as proof at a meeting of the creditors as the Master of the High Court will not accept any email copies of liquidation claims. Therefore, following the electronic submission of any liquidation claims to the email address above, the original liquidation claim documents should also be sent to the following address:

P.O. Box 4078
Rivonia
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- 3.11 Kindly note that, should the claim submitted in terms of paragraph 3.2. of this circular be reduced during the claims processing procedures, the liquidation claim will be reduced accordingly.

4 **Payment of claims**

- 4.1 Once the SaXum claims department has processed a policyholder’s claim, and has concluded that the policyholder is entitled to payment, the claims department will advise us accordingly.
- 4.2 All policyholders who are entitled to payment of their claims, as determined by the SaXum claims department under the supervision of the liquidators, and who have submitted a liquidation claim, will be treated as concurrent creditors in the insolvent estate of the company. “Concurrent creditors” are persons to whom SaXum owes money

and who may be paid from the funds that are left over after all other creditors, who have a right of preference by law, have been paid.

- 4.3 Concurrent creditors, including policyholders who are entitled to payment, rank equally regardless of the date of submission of their claims to SaXum or date of submission of liquidation claims to us. The exact amount that may be paid to each concurrent creditor will depend on the funds available for distribution to concurrent creditors.
- 4.4 As part of the liquidation process, we will draw a liquidation and distribution account, which will set out the amount that concurrent creditors may receive from the distribution of money available to pay creditors. Once the liquidation and distribution account has been approved by the Master of the High Court, only then may we commence with payments to creditors, including concurrent creditors.

5 **General**

- 5.1 We will release further circulars, as and when it is necessary to do so, to update you on the processing and payment of claims. Kindly refer to the SaXum website for any updates and further circulars.
- 5.2 In the event that you have any queries, kindly send an email to the following address:
- Insurance claims (policyholders, brokers, panel beaters, etc.) – claimslq@saxuminsurance.com
 - Creditors and other stakeholders – claimslq@saxuminsurance.com
- 5.3 Policyholders are advised to take immediate steps to obtain alternative insurance cover as there is no guarantee that insurance claims against SaXum will be paid in full. Policyholders may seek alternative cover either directly with another insurer, or they may contact a short-term insurance broker who would be able to advise them on alternative insurance companies that are able to offer suitable cover.

We trust you find the above in order.

Yours faithfully,

PER: H. KAPLAN N.O.

N.A.G. OMAR N.O.

W.N. JACOBS N.O.

B.B. MAHLATSI N.O.

(sent electronically without signature)