

Calculation of the Master's Fee

Total Assets of estate :	R 14 233 875.94		R 1000.00
<u>Less:</u>	R 150 000.00		
	R 14 083 875.94		
Divide by R5000.00	2816		
Thus, 2816 x R275			R 774 400.00

The Master's Fee on the amounts above is R 774 400.00, however this amount is above the prescribed maximum fee of R 275 000.

The Master's fee is therefore R 275 000.

SCHEDULE A

Pro rata apportionment of the Master's fee and the bond^{of security} premium

ACCOUNTS	GROSS PROCEEDS	MASTER'S FEE	BOND OF SECURITY PREMIUM
Encumbered Asset Acc 1	R 9 100 000.00	R 175 812.97	R 33 244.63
Encumbered Asset Acc 2	R 3 500 000.00	R 67 620.37	R 12 786.40
Encumbered Asset Acc 3	R 1 150 000.00	R 22 218.12	R 4 201.24
Free Residue Acc	R 483 875.94	R 9 348.53	R 1 767.72
TOTALS	R 14 233 875.94	R 275 000.00	R 52 000.00
			R 51 999.99 rounded off to R 52 000.00

Formula used:

Master's fee (pro rata) : $\text{Account} \div \text{Total under Gross Proceeds} \times \text{Total under Master's fee}$

Bond of Security (pro rata): $\text{Account} \div \text{Total under Gross Proceeds} \times \text{Total under Bond of Security Premium}$

SCHEDULE B

Pro rata apportionment of the Auctioneer's Commission

ACCOUNT	GROSS PROCEEDS	AUCTIONEER'S COMMISSION
Encumbered Asset Account 1	R 9 100 000.00	R 325 200.00
Encumbered Asset Account 2	R 3 500 000.00	R 125 084.62
Free Residue Account	R 274 594.10	R 9 813.57
TOTALS	R 12 874 594.10	R 460 118.19

Encumbered Asset Account 3 is not included in Schedule B because the 2019 Self-Propelled Grape Harvester was sold by private treaty in terms of sec 80bis of the Insolvency Act 1936.

Formula used: $\text{Account} \div \text{Total under Gross Proceeds} \times \text{Total under Auctioneer's Commission}$

SCHEDULE C

Calculation of Liquidator's remuneration in accordance to the Spendiff decision

Encumbered Asset Acc 1			
Fixed asset			
Fee @ 3% on	R 9 100 000.00		R 273 000.00
Less:	R 1186 956.52	x 15% x 3%	R 5 341.30
			R 267 658.70
Plus VAT @ 15% thereon			R 40 148.81
			R 307 807.51

SCHEDULE C CONTINUES.....

③

Encumbered Asset Acc 2			
Movable Asset (bottling plant and equipment)			
Fee @ 10% on	R 3 500 000.00		R 350 000.00
Less:	R 456 521.74	X 15% X 10%	R 6 847.83
			R 343 152.17
Plus VAT @ 15%			R 51 472.83
			R 394 625.00

Encumbered Asset Account 3			
(2019 Grape Harvester registration number CA 9090) - Movable Asset			
Fee @ 10% on	R 1 150 000.00		R 115 000
Less:	R 150 000	X 15% X 10%	R 2 250
			R 112 750
Plus VAT @ 15%			R 16 912.50
			R 129 662.50

SCHEDULE C CONTINUE S...

④

FREE RESIDUE ACCOUNT			
• Movable Asset (bottled wines)			
Fee @ 10% on	R 230 894.10		R 23 089.41
<u>Less:</u>	R 30 116.62	x 15% x 10%	<u>R 451.75</u>
			R 22 637.66
Plus VAT @ 15%			<u>R 33 95.65</u>
			<u>R 26 033.31</u>
• Movable Asset (Miscellaneous movable assets and office equipment)			
Fee @ 10% on	R 43 700.00		R 43 70.00
<u>Less:</u>	R 5 700	x 15% x 10%	<u>R 85.50</u>
			R 4284.50
Plus VAT @ 15%			<u>R 642.67</u>
			<u>R 4 927.17</u>
• Movable Asset (book debts)			
Fee @ 10% on	R 88 405.08		R 8840.51
<u>Less:</u>	R 11 531.0	x 15% x 10%	<u>R 172.97</u>
			R 8667.54
Plus VAT @ 15%			<u>R 1300.13</u>
			<u>R 9 967.67</u>

SCHEDULE C CONTINUES...

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• Movable assets (quantity of Stella Valley Carbenet grapes harvested shortly after liquidation)			
Fee @ 6% on	R 20 876.76		R 7 252.61
	R 15 766.53	15% X 6%	R 141.90
			R 7 110.71
Plus VAT 15%			R 1 066.61
			R 8 177.32

SCHEDULE D
VAT SCHEDULE

ACCOUNTS	OUTPUT VAT	INPUT VAT	PAYABLE/(REFUNDABLE)
Encumbered Asset Account 1	R 1 186 956.52	R 86 905.06	R 1 100 051.46
Encumbered Asset Account 2	R 456 521.74	R 73 188.12	R 383 333.62
Encumbered Asset Account 3	R 150 000.00	R 17 460.49	R 132 539.51
Free Residue Account	R 63 114.25	R 11 569.06	R 51 545.19
TOTALS	R 1 856 592.51	R 189 122.73	R 1 667 469.78

ENCUMBERED ASSET ACCOUNT 1

Proceeds of Portion 8 of the Farm 'ValleyGrove', Stellenbosch, Western Cape, Subject to first mortgage bond in favour of Creditor 1, Capital Bank Ltd

NARRATION	VAT	PAYMENTS	RECEIPTS
<u>Receipts:</u>	(VAT Formula)		
	$\left(\frac{\text{Amount} \times 15}{115} \right)$		
Proceeds of Portion 8 of the Farm Valley Grove, Stellenbosch, Western Cape, sold by public auction by Hastings Auctions	R 1186 956.52		R 9 100 000.00
<u>Payments:</u>			
Master's fee, pro rata portion as per Schedule A	(0.00)	R 175 812.97	
Guardian Sure Bonds Ltd, pro rata bond of security premium as per Schedule A	(R 4336.25)	R 33 244.63	
Liquidator's fee as per Schedule C: 3% on R9 100 000.00 (including VAT @ 15%)	(R 40 148.81)	R 307 807.51	
Hastings Auctions, pro rata auctioneer's commission per Schedule B	(R 42 420.00)	R 325 220.00	
Western Province Municipality, for rates and taxes payable on Portion 8 of Farm Valley Grove Stellenbosch, Western Cape	(0.00)	R 124 897.50	

ENCUMBERED ASSET ACC 1 CONTINUES (8)

SARS, VAT Payable on this account		R 1 100 051.46	
Total Payments:		<u>R 2 067 084.07</u>	
Balance awarded as follows:			
Creditor 1, Capital Bank Ltd, for moneys lent and advanced secured by a first mortgage bond		R 7 032 965.93	
Capital Claim	R 8 946 765.32		
Plus interest @ 14% per annum from 4/9/2022 - 17/3/2023 (194 days)	<u>R 665 737.39</u>		
	<u>R 9 612 502.71</u>		
Formula used to calculate interest:			
$\frac{\text{Capital Claim} \times \text{Rate} \times \text{Time}}{365}$			
Interest calculation is not necessary because the creditor relied on its security and the balance is not sufficient to pay the capital claim. Creditor will not be able to participate in the concurrent amount because of this reliance.			
TOTALS		R 9 100 000.00	R 9 100 000.00

ENCUMBERED ASSET ACCOUNT 2

(9)

Proceeds of bottling plant and equipment, subject to a special notarial bond in favour of Creditor 2, Harvest Finance Ltd

NARRATION	VAT	PAYMENTS	RECEIPTS
<u>Receipts:</u>			
Proceeds of bottling plant and equipment sold ex situ by public auction by Hastings Auctions	R 456 521.74		R 3 500 000.00
<u>Payments:</u>			
Master's fee, pro rata portion as per Schedule A	(0.00)	R 67 620.37	
Guardian Sure Bonds Ltd, pro rata bond of Security premium as per Schedule A	(R 1667.80)	R 12 786.40	
Liquidator's fee as per Schedule C			
10% on R 3 500 000 (including VAT @ 15%)	(R 51 472.83)	R 394 625	
Hastings Auctions, pro rata auctioneer's Commission per Schedule B	(R 16 315.39)	R 125 084.62	
Grapeflow Bottling Solutions, for repairs made to the bottling plant	(R 3732.10)	R 28 612.77	

(PTO)

ENCUMBERED ASSET ACCOUNT 2 CONTINUES... (10)

SARS, VAT payable on this account		R383 333.62
Total Payments:		R1 012 062.78
<u>Balance awarded as follows:</u>		
Creditor 2, Harvest Finance Ltd for moneys lent and advance secured by a special notarial bond registered over specified assets in terms of section 1 of the Security by Means of Movable Property Act 57 of 1993		R 2 487 937.22
Capital Claim :	R3 203 046.89	
Interest @ 16.5% per annum from 4/9/2022 - 17/3/2023 (194 days) :	R 280 902.82	
	R 3 483 949.71	
The balance of R 916 012.49 on the claim will be concurrent in terms of Singer v The Master		
TOTALS		R 3 500 000.00 R 3 500 000.00

ENCUMBERED ASSET ACCOUNT 3

(11)

Proceed of 2019 self-propelled Grape Harvester, registration number CAPD 90, subject by an instalment sale hypothec in favour of Creditor 3

NARRATION	VAT	PAYMENTS	RECEIPTS
<u>Receipts:</u>			
Proceeds of the 2019 self-propelled Grape Harvester, sold by private treaty	R 150 000		R 1150 000.00
<u>Payments:</u>			
Master's fee, pro rata portion as per Schedule A	(0.00)	R 22 218.12	
Guardian Sure Bonds Ltd, pro rata bond of security premium as per Schedule A	(R 547.99)	R 4 201.24	
Liquidator's fee as per Schedule C: 10% on R 1 150 000 (including VAT @ 15%)	(R 16 912.50)	R 129 662.50	
SARS, VAT payable on this account		R 132 539.51	
Total Payments:		R 288 621.37	

(P.T.O.)

ENCUMBERED ASSET ACCOUNT

CONTINUES...

(12)

Balance awarded as follows:

Creditor 4, Agri Tech Finance
for moneys lent and advanced
secured by an instalment
sale hypothec/transaction

R 861 378.63

Capital claim: R 1 261 052.55

Plus interest

@ 18.75% per

annum (194 days): R 125 673.39

R 1 386 725.94

This creditor did not rely on
its security thus making
the balance of its claim
(R 525 347.31) a
concurrent claim in the
Free Residue Account per
Singer v The Master.

TOTALS

R 1 150 000.00

R 1 150 000.00

FREE RESIDUE ACCOUNT

(13)

NARRATION	VAT	PAYMENTS	RECEIPTS
<u>Receipts:</u>			
Proceeds on the substantial inventory of bottled wines sold by public auction by Hastings Auctions	(R 30 116.62)		R 230 894.10
Proceeds of miscellaneous movable assets and office equipment	(R 5 700.00)		R 43 700.00
Proceeds of book debts collected by Attorneys Sithole & Partners at the request of the liquidator	(R 11 531.10)		R 88 405.08
Proceeds of a quantity of Stella Valley Carbenet grapes harvested shortly after liquidation and sold privately to the local Co-op market	(R 15 766.53)		R 120 876.76
<u>Payments:</u>			
Master's fee, pro rata portion as per Schedule A	(0.00)	R 9348.53	

FREE RESIDUE ACCOUNT CONTINUES ...

(14)

Gurdian Sure Bonds Ltd, pro rata bond of security premium as per Schedule A	(R 230.57)	R 17 67.72
Liquidator's fee as per Schedule C:		
10% on R 230 894.10	(R 3395.65)	R 26 033.31
10% on R 43 700.00	(R 642.67)	R 49 27.17
10% on R 88 405.08	(R 1300.13)	R 9 967.67
6% on R 120 876.76	(R 1066.61)	R 8 177.32
Horizon Attorney, for the application for the winding-up of the company on behalf of the applicant creditor	(R 2430.25)	R 18 681.93
Hastings Auctions per Schedule B	(R 1280.03)	R 98 13.57
Wages for general labourers engaged to assist with harvesting grapes after liquidation (Sec 97(2)(c))	(0.00)	R 15 060.00
Cost of advertising general (second) meeting of creditors	(R 120.00)	R 920.00

(PTO)

FREE RESIDUE ACCOUNT CONTINUES...

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Provision for advertising inspection of account	(R 4.93)	R 37.82
Provision for advertising confirmation of account	(R 4.93)	R 37.82
Provision for advertising destruction of books and records	(R 4.93)	R 37.82
Trust Bank Ltd, bank charges payable on the estate banking account	(R 52.17)	R 400.00
Postage and petties allowed by the Master	(R 134.35)	R 1030.00
Sithole & Partners, professional fee for collecting book debts on behalf of the liquidator	(R 901.84)	R 6 914.10
SARS, VAT payable on this amount		R 51 545.19
Total Payments:		<u>R 157 217.56</u>

(PTO)

Balance awarded as follows:

Creditor 7, Thabo Moeng, Sec 98A Preferent Creditor for arrear salary and leave pay owing before date of liquidation:

- Arrear salary up to a maximum of R12000, not exceeding 3 months.

- Leave pay owing for 2022 up to a maximum of R4000

R 16 000.00

Creditor 10, Sindiwe Mthembu, Sec 98A Preferent Creditor for arrear salary owing at date of liquidation:

- Arrear salary up to a maximum of R12000, not exceeding 3 months.

R 12 000.00

Creditor 5, South African Revenue Service, Sec 99 Preferent Creditor for:

- Arrear VAT: R 119 345.02

- Arrear Income Tax: R 17 841.62

R 137 186.64

Concurrent Creditors	R 161 471.74	
Dividend of 9.2141		
TOTALS	R 483 875.94	R 483 875.94

The concurrent dividend owing to the concurrent creditors is calculated as follows (page 453 SARIPA Notes - Appendix) :

$$\frac{\text{Total amount available for distribution}}{\text{Total amount of concurrent claims}} \times 100 = \frac{\text{cent in the Rand}}$$

$$\frac{R 161 471.74}{R 1 752 438.70} \times 100 = 9.2141$$

To calculate the concurrent award for each concurrent creditor in the estate, the following formula was utilised:

$$\frac{\text{Creditor's Concurrent claim}}{100} \times \text{the concurrent dividend (9.2141)}$$

Amounts for the concurrent award are reflected in the Distribution Account (List A).

BANK RECONCILIATION STATEMENT

<u>NARRATION</u>	<u>PAYMENTS</u>	<u>RECEIPTS</u>
Bank balance on estate account		R13 552 455.81
<u>PAYMENTS STILL TO BE MADE:</u>		
Master's fee	R 275 000.00	
Bond Premium (provision for renewal)	R 26 000.00	
Liquidator's remuneration	R 881 199.98	
Advertising costs (provision)	R 113.46	
Bank charges (provision)	R 150.00	
Postage and petties	R 1030.00	
SARS for VAT payable per this account	R 1667 469.78	
<u>AWARDS TO CREDITORS STILL TO BE MADE:</u>		
Encumbered asset account 1 (Cr 1)	R 7 032 965.93	
Encumbered asset account 2 (Cr 2)	R 2 487 931.22	
Encumbered asset account 3 (Cr 4)	R 861 378.63	
<u>Free residue:</u>		
Cr 7 (Preferent)	R 16 000.00	
Cr 10 (Preferent)	R 12 000.00	
Cr 5 (Preferent)	R 137 186.64	
Concurrent Creditors	R 161 471.74	
	R 13 559 903.38	R 13 552 455.81

DISTRIBUTION ACCOUNT - LIST A

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No.	Creditor Name	Total Claim	Secured Claim	Preferent Claim	Concurrent Claim	Secured / Preferent Award	Concurrent Award	
1.	Capital Bank Ltd	R 8946765.32 (capital) R 665737.39 (interest)	R 7032965.93	0.00	0.00	R 7032965.93 (EAA 1)	0.00	
2.	Harvest Finance Ltd	R 3203046.89 (capital) R 280902.82 (interest)	R 2487937.22	0.00	R 996012.49	R 2487937.22 (EAA 2)	R 91773.58	
3.	AgricTech Finance	R 1261052.55 (capital) R 125673.39 (interest)	R 861378.63	0.00	R 525347.31	R 861378.63 (EAA 3)	R 48405.47	
4.	Thabo Mung	R 54000.00	0.00	R 12000.00 (Salary Sec 98A) R 4000.00 (Leave pay sec 98A)	R 38000.00	R 16000.00 (Free residue Account)	R 3501.36	
5.	Sindiwe Mthembu	R 12000.00	0.00	R 12000.00 (Salary Sec 98A)	0.00	R 12000.00 (Free residue Acc)		
6.	South African Revenue Services	R 137186.64	0.00	R 137186.64 (Sec 99)	0.00	R 137186.64 (Free residue acc)	0.00	
7.	Vintech Supplies Ltd	R 17410.61	0.00	0.00	R 17410.61 (Free residue acc)	0.00	R 1604.23	
8.	Winecraft Essentials Ltd	R 3668.29	0.00	0.00	R 3668.29 (Free residue)	0.00	R 337.99	
9.	David Smith	R 100000.00	0.00	0.00	R 100000.00 (Free residue account)	0.00	R 9214.10	
10.	Maria Ndlovu	R 72000	0.00	0.00	R 72000 (Free residue)	0.00	R 6634.15	
Concurrent dividend of 9.2141 cents in the Rand							R 1752438.70	R 161470.88

202324-1740 Paper Summative

LIST - B