



For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number	0	8	2	4	8	4	3	7
Company name in full	Bluerock Diamonds Plc							

→ **Filling in this form**  
Please complete in typescript or in  
bold black capitals.

### 2 Administrator's name

Full forename(s)	Allister
Surname	Manson

### 3 Administrator's address

Building name/number	322 High Holborn
Street	
Post town	London
County/Region	
Postcode	W C 1 V 7 P B
Country	

### 4 Administrator's name

Full forename(s)	Trevor
Surname	Binyon

Other administrator  
Use this section to tell us about  
another administrator.

### 5 Administrator's address

Building name/number	322 High Holborn
Street	
Post town	London
County/Region	
Postcode	W C 1 V 7 P B
Country	

Other administrator  
Use this section to tell us about  
another administrator.

# AM10

## Notice of administrator's progress report


### 6 Period of progress report

From date	0	5	0	6	2	0	2	3	
To date	0	4	1	2	2	0	2	3	

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's signature	Signature 	X							
Signature date	2	1	1	2	2	0	2	3	

# AM10

## Notice of administrator's progress report



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Allister Manson

Opus Restructuring LLP

322 High Holborn

London

Postcode

W	C	1	V		7	P	B
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DX

020 3326 6454



### Checklist

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



### Important information

**All information on this form will appear on the public record.**



### Where to send

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.



### Further information

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

# Continuation page

Name and address of insolvency practitioner

✓ **What this form is for**  
Use this continuation page to tell us about another insolvency practitioner where more than 2 are already jointly appointed. Attach this to the relevant form. Use extra copies to tell us of additional insolvency practitioners.

✗ **What this form is NOT for**  
You can't use this continuation page to tell us about an appointment, resignation, removal or vacation of office.

→ **Filling in this form**  
Please complete in typescript or in bold black capitals.  
All fields are mandatory unless specified or indicated by \*

## 1 Appointment type

Tick to show the nature of the appointment:

- ☐ Administrator
- ☐ Administrative receiver
- ☐ Receiver
- ☐ Manager
- ☐ Nominee
- ☐ Supervisor
- ☐ Liquidator
- ☐ Provisional liquidator

ⓘ You can use this continuation page with the following forms:  
- VAM1, VAM2, VAM3, VAM4, VAM6, VAM7  
- CVA1, CVA3, CVA4  
- AM02, AM03, AM04, AM05, AM06, AM07, AM08, AM09, AM10, AM12, AM13, AM14, AM19, AM20, AM21, AM22, AM23, AM24, AM25  
- REC1, REC2, REC3  
- LIQ02, LIQ03, LIQ05, LIQ13, LIQ14,  
- WU07, WU15  
- COM1, COM2, COM3, COM4  
- NDISC

## 2 Insolvency practitioner's name

Full forename(s)

Surname

## 3 Insolvency practitioner's address

Building name/number

Street

Post town

County/Region

Postcode

Country

**In the High Court of Justice Reference No. CR-2023-002828**

**Bluerock Diamonds Plc (In Administration)**

**The Joint Administrators' Progress Report to 4 December 2023**

**Allister Manson and Trevor John Binyon  
("the Joint Administrators")**

**Opus Restructuring LLP**

**322 High Holborn, London, WC1V 7PB**

**020 3326 6454**

**Contact: [ben.ekbery@opusllp.com](mailto:ben.ekbery@opusllp.com)**

This report has been prepared for the sole purpose of updating the creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

Allister Manson and Trevor John Binyon were appointed Joint Administrators of Bluerock Diamonds Plc on 5 June 2023. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability.

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  - II. The Joint Administrators' Receipts and Payments Account for the period 5 June 2023 to 4 December 2023 ("the Review Period")**
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  - IV. Charge-out Rates and Bases of Expenses**
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-

## **1. THE PROGRESS OF THE ADMINISTRATION**

### **The Joint Administrators' receipts and payments account**

Attached at Appendix II is a receipts and payments account for the Review Period.

The rest of this report describes the key developments in the Administration over the Review Period. For a detailed list of work undertaken by the Joint Administrators as a whole, see Appendix V.

In this section, we have summarised the main asset realisations during the Review Period and an estimation of those assets yet to be realised, together with details of the associated costs incurred but as yet remaining unpaid.

### **Administration (including statutory reporting)**

The Joint Administrators have met a considerable number of statutory and regulatory obligations. Whilst many of these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the administration, which has ensured that the Joint Administrators and their staff have carried out their work to high professional standards.

During the Review Period, primarily these tasks have included:

- Informing all relevant persons of the commencement of the Administration, including filing statutory documents at Companies House and meeting statutory advertising requirements;
- Issuing the Joint Administrators' Proposals, seeking relevant creditors' approvals and issuing notice of the outcome;
- Consulting with and instructing staff and independent advisers as regards practical, technical and legal aspects of the case to ensure efficient progress;
- Maintaining case files, which must include records to show and explain the administration and any decisions made by the Joint Administrators that materially affect the administration;
- Reviewing the situation and position of the Administration and discussing the initial proposed purpose and plan as stated in the Proposals of a potential CVA and return of the Company to the directors;
- Monitoring and maintaining an adequate statutory bond;
- Conducting periodic case reviews to ensure that the administration is progressing efficiently, effectively and in line with the statutory requirements;
- Significant time liaising with the website host and any contacts to assist with the removal of the website. Facing issues and claims regarding the account holder and owner of the website, causing delays with the closure of the website;
- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments; and
- Completing periodic tax returns.

### **Realisation of assets**

During the Review Period, primarily these tasks have included:

- Liaising with marketing and asset agents regarding the sale of assets;
  - Liaising with the solicitors regarding the preparation and finalising the sale documentation;
-

- Significant correspondence with the pre-appointment bank regarding the information required for the Administration and trying to realise the remaining balance in the account.

During the Review Period the following asset realisations were made:

#### **Cash at Bank**

The Company transferred the sum of £33,000 of the Company's cash at bank from the pre-appointment bank account into the Opus Client account. Following the appointment, these funds were swiftly transferred into the newly set up estate bank account. This allowed for the funds to be held in the estate account to be used for any required costs of the Administration on appointment, which removed the potential of any delays with the pre-appointment bank transferring the cash at bank following the appointment and maintained the asset level for the benefit of the Administration. There remains a small balance of £769.46 held in the bank account and the Joint Administrators are continuing to liaise with the bank to request the transfer into the Administration estate.

#### **Sale of Shares and Assignment of Claims**

As commented above, the Joint Administrators' formal Proposals stated that the first objective would be sought (the rescue of the Company) via a CVA process being pursued and the business then being handed back to the directors. After lengthy discussions and correspondence with the directors, it transpired that this was no longer their desired plan, and the directors advised of their preference for an associated company to purchase the assets of the Company, following an open and transparent marketing process.

The main asset of the Company was the shares held in a subsidiary company, Kareevlei Mining Pty Ltd ("Kareevlei"), a South African company which operates the Kareevlei Mine, a South African diamond mine. This entity entered into its own Business Rescue Procedure in South Africa on 24 February 2023. The Company was a 74% shareholder of this entity. The Company also had a significant debt owing back to the Company from Kareevlei for various loans paid to the subsidiary.

Following the change of strategy stated above, the Joint Administrators then sought to pursue the third objective of Administration, namely making a distribution to one or more preferential creditors. The Joint Administrators instructed asset valuation agents to provide a valuation for the shares held in Kareevlei and a marketing agent to commence a marketing process for the proposed sale. A full valuation and marketing process was required due to the interested party being an associated company.

Following the completion of the marketing process, it had generated a reasonable level of interest with 17 enquiries being received and 8 non-disclosure agreements being returned, and three offers being received. Two of the offers were of nominal value, and one of the offers was from the associated companies, Teichmann Holdings Limited (THL) and Teichmann Company Limited (TCL). The marketing process commenced on 11 August 2023 with a deadline for offers on 25 August 2023.

Teichmann Group have provided the following background information relating to their offer, which details that THL is the majority shareholder in TCL, with both companies incorporated and registered in Mauritius. The Companies are affiliated to Teichmann South Africa Proprietary Limited (TSA); with TCL comprising the largest shareholder in the Company, with other Teichmann Group companies and affiliates also comprising shareholders.

TSA is the provider of contract mining services to KML under a Mining Services Agreement. KML is indebted to TSA under inter alia the Mining Services Agreement dated 7th June 2021 and/or the Facility Agreement dated 4th July 2022, to the amount of approximately ZAR142,400,000.



The Company has subordinated shareholder loan claims against KML of approximately ZAR345,000,000 pursuant to the Shareholder Loan Agreement dated 12th August 2013 and/or KML's constitutional documents, which are referred to in the offer letter as '*Shareholder Loan Claims*'. In addition, the Company also has mostly subordinated loan claims against KML of approximately ZAR15,000,000 pursuant to the Management Agreement dated 17th January 2014, which are referred to as the '*Management Claims*'.

The Company is indebted to TCL, and certain of its concert parties, in an aggregate amount of approximately £2,193,745, under the Notes as defined in each of the following respective loan notes instruments issued by BRD:

- 1) the note instrument constituting £1,610,000 convertible secured notes due 2025; and
- 2) the note instrument constituting £583,745 convertible secured notes due 2025.

These are referred to collectively as the '*Loan Notes*'.

KML and the Company have provided security to TSA and TCL for the abovementioned indebtedness, which includes charges over specified and general movable assets owned by KML.

KML is indebted to TSA under a Post-Commencement Finance Agreement dated 11th March 2023 in respect of ongoing post-commencement finance provided by TSA in terms of the SA Companies Act, which is being used by KML to fund its business rescue process in South Africa.

The offer submitted and subsequent agreed sale comprises the following:

#### **Sale of Shares and Shareholder Claims**

- THL will acquire the BRD's 74% shareholding in Kareevlei; and
- The Shareholder Loan Claims – Referred to as the subordinated shareholder loan claims that the Company has against Kareevlei, amounting to approximately ZAR345,000,000 pursuant to the Shareholder Loan Agreement dated 12th August 2013 and/or Kareevlei's constitutional documents.

The sale has been apportioned as follows:

- £1 for the Company's shareholding in KML
- £69,998 for the Shareholder Loan Claims

The purchase consideration will be payable in cash, with the transaction by way of a Share and Claims Agreement, which is subject to certain conditions precedent, with the main conditions including:

- The passing of such resolutions approving the transactions as may be required by Kareevlei constitutional documents;
  - The signature of the Assignment (which is detailed below) and unconditionality thereof, save for any condition relating to the Share and Claims Agreement coming into force;
  - The approval of the transactions under the Share and Claims Agreement by the relevant South African Department of Mineral Resources and Energy in terms of the South African Mineral and Petroleum Resources Development Act, 2002, and relevant regulations, as may be acceptable to THL (it is noted that any acquisition of the Shares by any purchaser would be subject to such approval); and
-

- The approval of the transactions under the Share and Claims Agreement by the South African Reserve Bank in terms of South African Currency and Exchanges Act, 1933 and relevant regulations.

THL would procure the fulfilment of all of the conditions precedent save for any resolutions to be passed by KML.

### **Management Claims**

In addition, TCL has taken an assignment of the Company's Management Claims, in their present state and condition, in consideration for TCL releasing the Company from its indebtedness to TCL under the Loan Notes, which was in the sum of £2,193,745.

The sale price for this assignment was £1.

This assignment is subject to certain conditions precedent, which include:

- The unconditionality of the Share and Claims Agreement; and
- To the extent necessary, the approval of the transactions under the Assignment by the South African Reserve Bank in terms of South African Currency and Exchanges Act, 1933 and relevant regulations.

### **Sale Conclusion**

The Joint Liquidators instructed Hilco Global, who are professional independent agents with adequate professional indemnity insurance, to dispose of the Company's assets using the most advantageous method available.

THL and TCL expressed an interest in purchasing the Company's shares held in Kareevlei and the Management Claims. THL and TCL are connected with the Company because they are shareholders of the Company, TCL comprising the majority shareholder.

Therefore, THL and TCL were invited to contact Hilco Global direct to progress their interest. Hilco weighed up the advantages of a swift sale, which would avoid the ongoing costs of additional marketing the assets, against the potential of attracting a better offer albeit that this would involve incurring more costs. Hilco concluded that THL and TCL's offer was very likely to represent the best net realisation for the assets and they recommended to the Joint Liquidators that the offer be accepted. The opportunity has been well exposed to the market and a reasonable level of interest generated. The fact that Kareevlei is in a business rescue procedure may have dissuaded certain business buyers from taking matters further.

In summary three offers have been submitted for the Company's shareholding in Kareevlei and/or the loan notes, with the offer received from THL and TCL, which are parties connected to the existing Company, comprising a significantly greater offer amount than the two offers received. Despite a reasonable level of initial interest all other prospective purchasers, having reviewed the financials and other information provided, have decided not to submit offers for the Company's assets. The offer from THL and TCL was therefore accepted and the sale was agreed.

Consequently, the Company's shares held and interest in the Management claims were sold to THL and TCL on or around 15 September 2023 for £70,000 (exclusive of any VAT), which is yet to be received.

### **Estimated future realisations**

As stated above, the sale of shares and shareholder claims was completed with various conditions precedents with the full payment due after the Longstop date of 120 days after the completion of £70,000. Further recent correspondence has been held with the purchaser's solicitor regarding ongoing updates on the above conditions precedent, and there has been delays with the required confirmation and approval from the South African Reserve Bank. It has therefore been agreed to delay and push back the Longstop date to 29 February 2023.

During the Review Period, the Joint Administrators have incurred Administration expenses and also incurred time costs and direct expenses, not all of which have yet been discharged. Further details of these costs are set out in section 5 below.

## **2. CREDITORS: CLAIMS AND DISTRIBUTIONS**

### **Secured creditors**

The Company granted a fixed and floating charge to Teichmann South Africa Proprietary Limited on 15 August 2022, who was owed £17,477,037. on appointment. There is no anticipated return to the charge holder under their Fixed or Floating charge, and therefore, no validity check has been completed to date. If the circumstances change and it is anticipated that there will be a return to the charge holder, then a validity check will be completed prior to any distribution being made.

### **Preferential creditors**

Preferential claims relating to unpaid holiday pay/wage arrears/pension contributions were estimated at £34,000 as shown in the Directors' Statement of Affairs. The employee has submitted a claim to the Redundancy Payments Service ("RPS"), but a preferential claim in the Administration is yet to be received. It is still anticipated that there will be sufficient funds to make a preferential distribution should the Joint Administrators agree any preferential creditor claims.

### **Secondary Preferential creditors**

In any insolvency process started from 1 December 2020, HMRC is a secondary preferential creditor for the following liabilities:

- VAT
- PAYE Income Tax
- Employees' NIC
- CIS deductions
- Student loan deductions

This will mean that, if there are sufficient funds available, any of the above amounts owed by the Company will be paid after the preferential creditors have been paid in full.

Secondary Preferential claims relating to PAYE were estimated at £1,029.04 in the Director's Estimated Statement of Affairs. The Joint Administrators did not receive HMRC's claim in the Review Period, but do not anticipate there will be sufficient funds to pay a dividend to the secondary preferential claim.

## **Unsecured creditors**

Unsecured claims were estimated at £362,367 in the Director's Estimated Statement of Affairs. It is not anticipated that a dividend will be paid to unsecured creditors.

## **3. INVESTIGATIONS**

### **Investigations**

As part of the Joint Administrators' statutory duties, an investigation into the conduct of the Company Directors was completed.

In this regard, a confidential report was submitted to The Insolvency Service on 11 September 2023.

### **Initial Assessment of Potential Recoveries**

As part of our duties as Joint Administrators, we are obliged to review shortly after appointment all the information available to us and conduct an initial assessment of whether there are any matters which may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

This review has been completed and we confirm that we did not identify any further assets or actions which would lead to a recovery for creditors.

## **4. ETHICS**

Please be advised that the Joint Administrators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

### **General ethical considerations**

Prior to the Joint Administrators' appointment, the following potential and/or perceived threats to compliance with the Code of Ethics were identified:

- The principle of objectivity was identified as being under threat, given the inherent nature of the relationship between the now-appointed Joint Administrators and the directors, in the context of Mr Manson providing advisory support prior to appointment.

The safeguards put in place to mitigate these threats are:

- Making full disclosures to the creditors;
- Mr Manson ensured that he only provided advice to the Board of Directors in relation to the solvency, directors' duties, a possible CVL and subsequent Administration with potential exit via CVA considerations and never directed the Company, in any way; and
- All Opus case staff have undertaken applicable training as regards procedures and best practice in an Administration.

The safeguards have been reviewed and they are effectively managing the threats previously identified. No other threats to compliance with the Code of Ethics have arisen to date.

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## Specialist Advice and Services

When instructing third parties to provide specialist advice and services or having the specialist services provided by the firm, the Joint Administrators are obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work undertaken. The firm reviews annually the specialists available to provide services within each specialist area and the cost of those services to ensure best value. The specialists chosen usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment. Details of the specialists specifically chosen in this matter are detailed below:

- S P Angel Corporate Finance LLP – NOMAD
- Fladgate LLP - Solicitor
- Courts Advertising – Advertising agent
- Hilco Global – Marketing Agents
- Lighthouse Consultants – Valuation agents

## 5. THE JOINT ADMINISTRATORS' FEES AND EXPENSES

### Pre-Administration Costs

Included within the Joint Administrators' Proposals was a Statement of Pre-Administration Costs.

The following Pre-Administration Costs have been approved, but remain unpaid:

Party instructed	Amount (£)
Opus Restructuring LLP	4,050
Fladgate LLP	10,890
<b>TOTAL APPROVED</b>	<b>£ 14,940</b>

Following the publishing of the proposals, a side letter was agreed with the major creditors of the Company, to reduce and cap the estimated costs and charges. This included Fladgate LLP pre-appointment costs to £6,188 plus VAT.

### The Joint Administrators' Fees

The basis of the Joint Administrators' fees was fixed on 2 August 2023 at 23:59 by the creditors as follows:

1. The time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration only. Such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time the work is performed, capped at £55,000 plus VAT; or

The time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration, if the CVA process materialises. Such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time the work is performed, capped at £75,000 plus VAT.

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2. That the Joint Administrators be authorised to discharge all Category 2 expenses, calculated on the bases detailed in Opus Restructuring LLP's summary.

The decisions were approved by the creditors as stated above. However, it was agreed with the majority of the creditors voting by a side letter, that the fees would be capped at a lower £42,000 plus VAT.

A breakdown of the time costs incurred during the Review Period and for the Administration as a whole is provided at Appendix III and further information regarding the charge-out rates of the Joint Administrators and their staff is provided at Appendix IV.

### **Expenses**

The expenses, which include expenses that have been incurred and not yet paid during the Review Period are detailed below. Also below is a comparison of the expenses likely to be incurred in the Administration as a whole with the original expenses estimate, together with reasons where any expenses are likely to exceed that estimate.

The category 1 expenses paid for in the Review Period are detailed on the Receipts and Payments account at Appendix II and represent payments to parties not associated with the firm, who have provided services or goods for the administration of the assignment. Category 2 expenses are payments to associates or which have an element of shared costs. There have not been any category 2 expenses incurred to date.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and expenses policy may be found at [www.opusllp.com/restructuringinsolvency/creditor-portal/](http://www.opusllp.com/restructuringinsolvency/creditor-portal/). hard copy of both the Creditors' Guide and the firm's charge-out rate and expenses policy may be obtained on request.

### **Other professional costs**

#### **Solicitors**

Fladgate LLP were instructed as legal advisors to assist with all post-appointment legal matters, including validity of pledge charge over the shares held with Kareevlei, and the review and agreement of the sale and assignment documentation. They were also instructed pre-appointment by the Company and subsequently by the proposed Administrators for assistance with the upcoming Administration process and preparing the documentation and Court submissions for the appointment of Administration. Their costs have been agreed on the basis of their standard hourly charge out rates, plus disbursements and VAT with an agreed cap of £25,000 plus VAT. The solicitors' fees for the Review Period total £3,630. Fladgate LLP have not been paid in the Review Period.

#### **Agents and valuers**

Lighthouse Consultants were instructed as valuers in relation to the Kareevlei shares. Their costs have been agreed on fixed fee plus disbursements and VAT. The agent's fees for the Review Period amount to £7,500 and they have been paid in full.

Hilco Global were instructed as agents in respect of marketing the business and assets of the Company. Their costs were agreed at a fixed fee of £7,500 plus disbursements and VAT. The agent's fees for the Review Period total £8,245.00 and they have been paid in full.

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### **NOMAD Broker**

The Joint Administrators instructed S P Angel Corporate Finance LLP ("Angel") to provide NOMAD services to the Company. This instruction was a continuation of the services that Angel had already provided to the Company in the pre-appointment period. It was therefore commercially and economically beneficial to instruct Angel to continue their services post-appointment. In the Review Period, Angel's fees totalled £6,897.26 and they have been paid in full.

### **Comparison of estimates**

The Joint Administrators' time costs incurred to date (whether or not they have been charged to the Administration estate) are compared with the original fees estimate as follows:

<b>Work category</b>	<b>Original fees estimate</b>			<b>Actual time costs incurred during the Review Period</b>		
	<b>Number of hours</b>	<b>Blended hourly rate £ per hour</b>	<b>Total fees £</b>	<b>Number of hours</b>	<b>Average hourly rate £ per hour</b>	<b>Total time costs £</b>
Administration (including statutory reporting)	102.00	254.41	25,950.00	188.50	245.70	46,315.00
Realisation of assets	77.00	272.40	20,975.00	37.30	321.25	11,982.50
Creditors (claims and distribution)	83.00	268.37	22,275.00	19.40	232.73	4,515.00
Investigations	22.00	263.64	5,800.00	10.20	247.06	2,520.00
Case Specific Matters	-	-	-	0.60	225.00	135.00
Trading	-	-	-	-	-	-
<b>TOTAL</b>	<b>284.00</b>	<b>264.08</b>	<b>75,000.00</b>	<b>256.00</b>	<b>255.73</b>	<b>65,467.50</b>

The expenses incurred to date are compared with the original expenses estimate as follows:

<b>Expenses</b>	<b>Original expenses estimate £</b>	<b>Actual expenses incurred in the Review Period £</b>	<b>Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)</b>
Legal costs	25,000	3,630	
Agents' and valuers' costs	15,000	15,745	Additional disbursements incurred
ERA specialists	500	-	
Advertising	350	109.08	
Nominated Advisor (SP Angel)	7,629	6,897.26	
Bonding	160	90	
Case management software and website document access	185	-	
Printing and postage	200	-	
<b>TOTAL</b>	<b>49,024</b>	<b>27,391.61</b>	
<b>Category 2 expenses</b>			
Bank Charges	£2 per month	-	

The above original estimated expenses are not the figures provided in the Proposals and the expenses estimate. They are the agreed reduced expenses in the side letter with the major creditors.

The bases on which the expenses defined as Category 2 expenses are calculated are explained in Appendix IV.

Having regard for the costs that are likely to be incurred in bringing this Administration to a close, the Joint Administrators consider that:

- the original fees estimate is unlikely to be exceeded; and
- the original expenses estimate is unlikely to be exceeded.

As you will note, there has been significantly more time and costs associated with Administration and Planning time code than originally estimated. This is because of the additional work and time required from the Joint Administrator and Associate Director due to the complex nature of the case and the requirement for regular communication. Regular calls each week were initially required, especially with the change of strategy and interest in purchasing certain aspects of the Company from associated parties. This was not estimated for in the Proposals.

There is also less time recorded for creditors than originally estimated. This is because the initial strategy was for funds to be received to pay all of the creditors in full with an exit to CVA. This would require a lot of creditor associated time to request claims and adjudicate on claims. This has not been required following the change in strategy with now just a distribution to the preferential creditors being anticipated.

#### **Creditors' right to request information**

Any secured creditor, or unsecured creditor with the support of at least 5% in value of the unsecured creditors or with permission of the Court, may request in writing the Joint Administrators to provide additional information regarding fees or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

#### **Creditors' right to challenge fees and/or expenses**

Any secured creditor, or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of fees which the Joint Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the fees and/or expenses being complained of.

Please note that such challenges may not disturb fees or expenses (whether, or not, discharged from the estate) disclosed in prior progress reports.



## CONCLUSION

The Administration will continue in order to finalise the following outstanding matters:

- Realisation of all Company assets available to the Joint Administrators.
- Make a distribution to the preferential creditors.

Should you require any further information please contact Ben Ekbery by email at [ben.ekbery@opusllp.com](mailto:ben.ekbery@opusllp.com).



**Allister Manson**  
**Joint Administrator**

Allister Manson and Trevor John Binyon were appointed Joint Administrators of Bluerock Diamonds Plc on 5 June 2023. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability.

**BLUEROCK DIAMONDS PLC (IN ADMINISTRATION)****STATUTORY INFORMATION**

Company Name	Bluerock Diamonds Plc
Previous Names	N/A
Proceedings	In Administration
Court	High Court of Justice
Court Reference	CR-2023-002828
Date of Appointment	5 June 2023
Joint Administrators	Allister Manson Trevor John Binyon Opus Restructuring LLP 322 High Holborn London WC1V 7PB
Registered office address	c/o Opus Restructuring LLP 1 Radian Court Knowlhill Milton Keynes Buckinghamshire MK5 8PJ
Company Number	08248437
Appointment by	The Directors

**DEFINITIONS**

The Act	Insolvency Act 1986
The Rules	Insolvency Rules 1986 or Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event)
The Joint Administrators	Allister Manson and Trevor John Binyon of Bluerock Diamonds Plc
The Company	Bluerock Diamonds Plc (in Administration)
The Court	High Court of Justice
SIP	Statement of Insolvency Practice
Review Period	Period covered by the report from 5 June 2023 to 4 December 2023

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**BLUEROCK DIAMONDS PLC (IN ADMINISTRATION) The Joint Administrators' Receipts and Payments Account for the Review Period**

S of A £		£
RECEIPTS		
1,627	Book Debts	NIL
33,000	Cash at Bank	33,000.00
34,627		33,000.00
PAYMENTS		
NIL	Agents/Valuers Fees	(15,745.00)
NIL	Statutory Advertising	(109.08)
NIL	NOMAD Fees	(6,897.26)
NIL	Vat Receivable	(4,550.27)
NIL	Specific Bond	(90.00)
0		(27,391.61)
34,627	CASH IN HAND	5,608.39

**BLUEROCK DIAMONDS PLC (IN ADMINISTRATION)****The Joint Administrators' Time Costs for the Review Period**

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	66.00	0.50	82.70	38.50	187.70	46,235.00	246.32
Investigations	3.30	0.00	5.40	1.50	10.20	2,520.00	247.06
Realisation of Assets	27.20	0.00	10.10	0.00	37.30	11,982.50	321.25
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	6.50	0.00	7.60	5.30	19.40	4,515.00	232.73
Case Specific Matters	0.00	0.00	0.60	0.00	0.60	135.00	225.00
Pre Appointment	0.00	0.00	0.00	0.80	0.80	80.00	100.00
Forensics	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	103.00	0.50	106.40	46.10	256.00		
Time costs	36,630.00	137.50	23,940.00	4,760.00		65,467.50	
Average hourly rate	355.63	275.00	225.00	103.25			255.73

Description	Total Incurred £	Total Recovered £
CAT 1 Advertising	130.90	0.00
CAT 1 INSOLV fee	185.00	0.00
CAT 1 Postage	164.16	0.00
Totals	480.06	0.00

**Summary of Fees**

Time spent in administering the Assignment	Hours	256.00
Total value of time spent to 05 December 2023	£	65,467.50
Total Joint Administrators' fees charged to 05 December 2023	£	0.00

**BLUEROCK DIAMONDS PLC (IN ADMINISTRATION)****Information relating to Opus Restructuring LLP's Fees and Expenses****Explanation of Opus Restructuring LLP's charging and expense recovery policies****Time recording**

Work undertaken on cases is recorded in 6-minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. The current hourly charge-out rates are:

Rates from 04.05.2020	£'s
Partner	375-425
Senior Manager / Director	275-350
Assistant Manager / Manager	250-275
Junior Administrator / Administrator / Senior Administrator	100-225
Cashier	150-175
Support Staff	100

**Expense recovery**

In line with the revised Statement of Insolvency Practice 9 effective from 1 April 2021, creditors will note that in our previous circulars, expenses were known as disbursements. Should any creditor require any clarification on this point or the impact it will have on their claim, please contact us for further information.

Expenses are categorised as either Category 1 or Category 2.

Category 1 expenses will generally comprise of external parties which will include the supplies of incidental services specifically identifiable to the case. Where these have initially been paid by Opus Restructuring LLP and then recharged to the case, approval from creditors is required and are identified as Category 2 expenses. The amount recharged is the exact amount incurred.

Examples of Category 1 expenses include but are not limited to case advertising, invoiced travel, agents' costs and expenses, solicitors' fees and expenses, external room hire, bank charges, Insolv case management charge and properly reimbursed expenses incurred by personnel in connection with the case (including business mileage up to the HMRC approved rate for cases commenced before 1 November 2011). Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Category 2 expenses include elements of shared or allocated costs incurred by Opus and are recharged to the estate; they are not attributed to the estate by a third party invoice and they do not include a profit element. These disbursements are recoverable in full, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 expenses are photocopying, all business mileage (for cases commencing on or after 1 November 2011. Payment of Category 2 expenses require the approval of creditors.

Included in Category 2 expenses are costs incurred with associated parties.

Examples of the current levels of Category 2 expenses recovered by Opus Restructuring LLP are as follows:

Business mileage per mile	£0.45
Physical file set-up cost (per file) this is the actual cost of the stationery used for the setting up of the file*	£6.00
Bank Charges	£2 per month

\*The costs recharged are based upon the actual cost of the materials used or the costs which would have been incurred if that service had been sourced externally.

## BLUEROCK DIAMONDS PLC (IN ADMINISTRATION)

## DETAILED LIST OF WORK UNDERTAKEN BY THE JOINT ADMINISTRATORS

General	Description Includes
<b>Statutory and General Administration</b>	
Statutory/advertising	Filing of documents to meet statutory requirements VAT returns Advertising in accordance with statutory requirements Bonding the case for the value of the assets Informing all relevant persons of the commencement of the Administration, including filing statutory documents at Companies House and meeting statutory advertising requirements
Document maintenance/file review/checklist	Filing of documents Conducting periodic case reviews to ensure that the administration is progressing efficiently, effectively and in line with the statutory requirements Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists Maintaining case files, which must include records to show and explain the administration and any decisions made by the Joint Administrators that materially affect the administration Significant time liaising with the website host and any contacts to assist with the removal of the website. Facing issues and claims regarding the account holder and owner of the website, causing delays with the closure of the website
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case to ensure efficient progress Reviewing the situation and position of the Administration and discussing the initial proposed purpose and plan as stated in the Proposals of a potential CVA and return of the Company to the directors
Books and records / storage	Dealing with records in storage Sending job files to storage
Pension scheme	Identifying whether there is a pension scheme Submitting the relevant notices if a pension scheme is identified
Reports	Circulating initial report to creditors upon appointment Issuing the Joint Administrators' Proposals, seeking relevant creditors' approvals and issuing notice of the outcome
Creditors' decisions	Preparation of decision procedure notices, proxies/voting forms and



	<p>advertisements</p> <p>Notice of decision procedure to all known creditors</p> <p>Collate and examine proofs and proxies/votes to conclude decisions</p> <p>Responding to queries and questions following decisions</p>
<b>Investigations</b>	
SIP 2 Review	<p>Reviewing questionnaires submitted by creditors and directors</p> <p>Reconstruction of financial affairs of the company</p> <p>Reviewing company's books and records</p>
Statutory reporting on conduct of director(s)	<p>Preparing statutory investigation reports</p> <p>Liaising with Insolvency Service</p> <p>Submission of report with the Insolvency Service</p>
<b>Realisation of Assets</b>	
Debtors	<p>Collecting supporting documentation</p> <p>Correspondence with debtors</p> <p>Reviewing and assessing debtors' ledgers</p>
Other assets: sale of shares and assignment of claims	<p>Liaising with agents to agree disposal strategy</p> <p>Dealing with potential purchasers</p> <p>Negotiating sales</p> <p>Liaising with solicitors to agree sales</p> <p>Instructing and liaising with marketing agents and valuation agents</p> <p>Liaising with purchaser regarding precedents and updates</p>
<b>Creditors and Distributions</b>	
Creditor Communication	<p>Receive and follow up creditor enquiries via telephone</p> <p>Review and prepare correspondence to creditors and their representatives via mail and post</p> <p>Assisting employees to pursue claims via the RPS</p> <p>Corresponding with the PPF and the Pensions Regulator</p>