

TONGAAT HULETT DEVELOPMENTS PROPRIETARY LIMITED (in business rescue)

PROXY FORM

For use by the Creditors of Tongaat Hulett Developments Proprietary Limited (in business rescue) ("**Company**"), for the purposes of voting on the business rescue practitioners request for consent for the extension of the publication of the business rescue plan of the Company, in terms of Section 150(5) of the Companies Act 71 of 2008 ("**Companies Act**"), at the vote to be conducted at the First Meeting of Creditors of the Company, convened in terms of section 147 of the Companies Act, to be held virtually as a Microsoft Teams Live Event on **Tuesday 08 November 2022 at 10h00** ("**First Meeting**").

NAME OF CREDITOR: _____

I / We, being a Creditor of the Company, do hereby nominate, constitute and appoint:

- i. _____ or failing him / her;
- ii. _____ or failing him / her;
- iii. the business rescue practitioners ("**BRPs**") who act as the Chairmen of the Meeting,

as my / our proxy to attend and act for me / us and on my / our behalf to vote:

- i. in favour and thus consenting to; or
- ii. against and thus not consenting to; or
- iii. abstaining from voting

when called to vote on the BRPs request for consent for the extension of the publication of the business rescue plan of the Company, in terms of Section 150(5) of the Companies Act, which vote will be held at the First Meeting and, if deemed fit, voting: (indicate with an X)

VOTE IN FAVOUR	VOTE AGAINST	ABSTAIN FROM VOTING

SIGNED at _____ **on this** _____ **day of** _____ **2022**

SIGNATURE/S

NAME/S

Who warrants that he is/she is/they are duly authorised thereto

NOTES ON THIS PROXY FORM:

1. A Creditor may insert the name of a proxy or the names of two alternative proxies of his/her choice in the space provided, with or without deleting “the business rescue practitioners (“**BRPs**”) who act as the Chairmen of the Meeting.” The person whose name stands first on the form of proxy and who is present and voting at the First Meeting will be entitled to act as proxy to the exclusion of those whose names follow.
2. The form of proxy must be:
 - i. emailed to the Company’s business rescue email address: br@tongaat.com, by not later than **17h00 on Friday 11 November 2022.**
3. The completion and lodging of this form of proxy will not preclude the relevant Creditor from virtually attending and participating in the Meeting and voting thereat, to the exclusion of the proxy appointed in terms thereof, should such Creditor wish to do so.
4. If this proxy is signed under power of attorney or by a representative on behalf of a company, close corporation or trust, it must be accompanied by an appropriate power of attorney (for an individual) or authorising resolution/letter (for a juristic person) - as is applicable - giving such representative the authority to act as proxy and vote at the First Meeting.