

**ANNEXURE D - PROXY FORM**

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For use by the Creditors at a meeting convened in terms of Section 151 of the Companies Act to be held electronically via a video-conferencing platform on Wednesday, **14 June 2023** at **13:00** ("**Meeting**") or at any subsequent adjournment of the meeting.

I/We \_\_\_\_\_ do hereby appoint:

iii. \_\_\_\_\_; or failing him/her

ii. \_\_\_\_\_; or failing him/her

iii. the BRP, who acts as Chairman of the meeting,

as my/our proxy to act for me/us and on my/our behalf at the Meeting which will be held for the purpose of considering and, if deemed fit, voting: (indicate with an X)

1. To direct the BRPs to adjourn the meeting in order to revise the Business Rescue Plan for further consideration:

**In Favour** \_\_\_\_\_ **Against** \_\_\_\_\_

2. Approval of the proposed Business Rescue Plan, with or without modification:

**In Favour** \_\_\_\_\_ **Against** \_\_\_\_\_

**SIGNED at** \_\_\_\_\_ **on this** \_\_\_\_\_ **day of** \_\_\_\_\_ **2023.**

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**SIGNATURE**

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**NAME**

**Power of Attorney / Authorising Resolution attached (where applicable)**

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## NOTES:

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 Chairman of the meeting". The person whose name stands first on the form of proxy and who is present at the Meeting will be entitled to act as proxy to the exclusion of those whose names follow.
2. The form of proxy must either be:
  - i. Delivered and lodged at Amanzimnyama Hill Road, Tongaat, Kwa-Zulu Natal, 4400, to be received by not later than **17h00 on Monday, 12 June 2023**, two days prior to the meeting; or
  - ii. emailed to [br@tongaat.com](mailto:br@tongaat.com) by not later than **17h00 on Tuesday, 13 June 2023**.
3. The completion and lodging of this form of proxy will not preclude the relevant Creditor from attending the Meeting and speaking and voting in person thereat to the exclusion of the proxy appointed in terms thereof, should such Creditor wish to do so.
4. Capitalised words not otherwise defined in this proxy form shall have the meaning ascribed to them in the Business Rescue Plan.
5. If this proxy is signed under power of attorney or on behalf of a company, such authority (i.e. power of attorney (for an individual) or authorising resolution (for a juristic person), as applicable) must accompany it.