



TONGAAT HULETT LIMITED (IN BUSINESS RESCUE)

PROXY FORM

For use by the Creditors of Tongaat Hulett Limited (in business rescue) (“**Company**”), for the purposes of voting on the business rescue practitioners' request for consent to the extension of the date for the publication of the amended Business Rescue Plan to a date no later than 24 November 2023 and to the application of the notice periods as detailed in S151(1) and (2) of the Companies Act 71 of 2008 (“**Companies Act**”).

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. any one of the business rescue practitioners (“**BRPs**”) 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

having been called on to vote on the BRPs request for consent to the extension of the date for the publication of the amended Business Rescue Plan to a date no later than 24 November 2023 and to the application of the notice periods as detailed in S151(1) and (2) of the Companies Act if deemed fit, voting: (indicate with an X):

VOTE IN FAVOUR	VOTE AGAINST	ABSTAIN FROM VOTING

Signed at _____ on this _____ day of _____ 2023

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 “any one of the business rescue practitioners (“**BRPs**”)”. The person whose name stands first on the form of proxy and who is either present and voting at a Meeting of Creditors and/or by utilising this proxy form will be entitled to act as proxy to the exclusion of those whose names follow.
2. The form of proxy must be:
 - 2.1 submitting it via email, to the Company’s business rescue email address at: BR@tongaat.com by no later than **17H00 on Monday 30 October 2023**; or
 - 2.2 delivering it by hand, to the Company’s registered business address - located at: Amanzimnyama Hill, Tongaat, KwaZulu-Natal, 4400, South Africa - by no later than **17H00 on Monday 30 October 2023**.
3. The completion and lodging of this form of proxy will not preclude the relevant Creditor from virtually attending and participating in any 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 any Meeting.