



Est. 1892

TongaatHulett®

Delivered by Email To:

- All known Creditors of Tongaat Hulett Limited (in business rescue)
- Companies and Intellectual Property Commission

Displayed:

- Registered office and principal place of business of the Company

Published:

- On the website maintained by the Company and accessible to Affected Persons

29 November 2023

ADDITIONAL NOTICE TO AFFECTED PERSONS OF TONGAAT HULETT LIMITED (IN BUSINESS RESCUE) (“THE COMPANY”) RE: THE PRE-MEETING PROXY VOTE

1. Capitalised words not otherwise defined in this notice shall have the meaning ascribed to them in the Plan.
2. Affected Persons were notified in the two amended Business Rescue Plans (“**the Plans**”), of the Company, published on **29 November 2023**, accessible on the Company’s website at: www.tongaat.com, that Affected Persons are invited to vote in the Pre-Meeting Proxy Vote.
3. Affected Persons have been provided with two alternative business rescue plans for their consideration. The purpose of the Pre-Meeting Proxy Vote will be the giving of direction by the Creditors to the BRPs (based on a simple majority of Independent Creditors’ voting on the issue) on the sequence in which the Plans are to be considered and voted on during the upcoming Section 151 Meeting.
4. The votes cast in the Pre-Meeting Proxy Vote will be counted on **7 December 2023** in order that the BRPs have time to properly prepare for the Section 151 Meeting on 8 December 2023.
 - 4.1. The BRPs will then propose the Plans for consideration and vote at the Section 151 Meeting in the relevant order, pursuant to the directions so received in the aforementioned Pre-Meeting Proxy Vote.



Est. 1892

TongaatHulett®

- 4.2. If the first such plan voted on is not approved by the requisite majorities, subject to section 153 of the Act, the second plan will be presented to and voted on by Creditors. Conversely, if the first such plan voted on is approved and Adopted, there will be no cause or need for the second such plan to be voted on.
- 4.3. Should neither the first nor the second business rescue plans be approved, then the provisions of section 153 of the Act will apply, with the variable outcomes contemplated in section 153(1).

5. Voting by proxy:

- 5.1. Creditors are accordingly requested to cast their Pre-Meeting Proxy Vote to select which of the Plans should be considered and voted on first at the Section 151 Meeting on 8 December 2023 by completing the attached proxy form (which is also available to download from the Tongaat website at: www.tongaat.com, under the 'Business Rescue' tab) and returning same to the BRPs via email, to the Company's business rescue email address at: BR@tongaat.com **by no later than 12h00 on Thursday, 7 December 2023.**

6. Affected Persons are reminded that all documentation, information, and notifications relevant to the business rescue proceedings of the Company, are available for review and to download on the Tongaat website at: www.tongaat.com under the 'Business Rescue' tab.

7. If you have any requests or queries, they may be directed to the Company's business rescue team at: BR@tongaat.com.

Yours faithfully,

TJ Murgatroyd

PF van den Steen

GC Albertyn

The Joint Business Rescue Practitioners of Tongaat Hulett Limited (in business rescue)