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# TongaatHulett®

- Delivered by Email To:**
- All known Affected Persons 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
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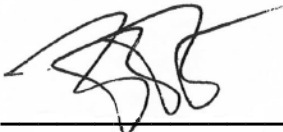
21 November 2023

## **NOTICE TO AFFECTED PERSONS RE: EXTENSION OF THE PUBLICATION DATE OF THE AMENDED BUSINESS RESCUE PLAN AND ADJOURNMENT OF SECTION 151 MEETING IN THE BUSINESS RESCUE PROCEEDINGS OF TONGAAT HULETT LIMITED (IN BUSINESS RESCUE) ("Company")**

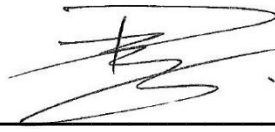
1. On 27 October 2023, the Company's joint Business Rescue Practitioners ("**BRPs**") requested creditors to provide their consent for the extension of the publication date of the amended Business Rescue Plan ("**amended Plan**") and the application of the notice periods as detailed in S151(1) and (2) of the Companies Act 71 of 2008, as amended ("**Companies Act**"). The requisite majority of creditors agreed to the extension of the publication date of the amended Plan to no later than 24 November 2023 and the adjournment of the meeting ("**151 Meeting**") to be held in terms of section 151 of the Companies Act, to consider and, if appropriate, approve the Company's amended Plan, to no later than 30 November 2023.
2. It is the intention of the BRPs to incorporate sufficient details of the transaction(s) that need to be considered by creditors into the amended Plan. There is additional information that has only recently come to the attention of the BRPs that requires further updating of the currently drafted amended Plan. The outcome of the Declarator application court proceedings remains outstanding. As a result of this and the latest developments, it is necessary and expedient to extend the publication date for a very short period and therefore also to adjourn the Meeting to a slightly later date, in order to allow creditors sufficient time to consider the contents of the amended Plan.

3. The BRPs accordingly seek the approval of creditors by way of proxy for the extension of the date for the publication of the amended Plan to **no later than 29 November 2023**, and the adjournment of the Meeting to **no later than 8 December 2023**.
4. Creditors are accordingly requested to provide their consent for the above request by completing the attached proxy form (which is also available to download from the Tongaat website at: [www.tongaat.com](http://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](mailto:BR@tongaat.com) by **no later than 17h00 on Thursday 23 November 2023**.
5. Affected Persons are reminded that all notices and documents regarding the business rescue proceedings of the Company that have been and/or will be circulated to all known Affected Persons, are/will be published and made available to all Affected Persons, on the Tongaat website at: [www.tongaat.com](http://www.tongaat.com), under the 'Business Rescue' tab.

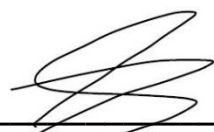
**Yours faithfully,**



**TJ Murgatroyd**



**PF van den Steen**



**GC Albertyn**

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