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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
 - Availability recorded in an announcement to shareholders on the Stock Exchange News Service (SENS), released after distribution.
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7 December 2023

URGENT NOTICE TO AFFECTED PERSONS OF TONGAAT HULETT LIMITED (IN BUSINESS RESCUE) ("Company") IN TERMS OF SECTION 128 OF THE COMPANIES ACT 71 OF 2008 ("the Act") READ TOGETHER WITH SECTIONS 144, 145 AND 146 OF THE COMPANIES ACT

RE: SECTION 151 MEETING TO BE ADJOURNED BY ORDER OF COURT IN THE BUSINESS RESCUE PROCEEDINGS OF THE COMPANY

1. On 5 December, a notice was distributed to all Affected Persons regarding the following matters:
 - 1.1. the judgment of Honourable Judge Vahed dated 4 December 2023, under case number D4472/2023, in the matter between, *inter alios*, the Company, Tongaat Hulett Sugar South Africa (Proprietary) Limited and the joint business rescue practitioners of the Company ("the **BRPs**"); and
 - 1.2. an urgent application launched on 5 December 2023 in the High Court Of South Africa, KwaZulu Natal Local Division, Durban, under case number D13763/2023, by RCL Foods Sugar & Milling (Proprietary) Limited against, *inter alios*, the Company and the BRPs. The Affected Persons of the Company are cited as the fifth respondent in the aforesaid application; and

- 1.3. a further urgent application launched on 5 December 2023 in the High Court Of South Africa, KwaZulu Natal Local Division, Durban, under case number D13739/2023, by the South African Sugar Association against, *inter alios*, the Company and the BRPs. The Affected Persons of the Company are not cited a respondent in the aforesaid application.
2. For the purposes of this Notice, the urgent applications in paragraphs 1.2 and 1.3 are referred to collectively as "**the Urgent Applications**").
3. The Company has opposed both of the Urgent Applications. The parties have agreed a timetable for the exchange of pleadings, and the Urgent Applications will be heard on 13 December 2023.
4. In the interim, on 7 December 2023, the Court has ordered the adjournment of the meeting ("**151 Meeting**"), which is to be held in terms of section 151 of the Companies Act, to consider and, if appropriate, approve the Company's amended Plan, from Friday, 8 December 2023 to **Thursday, 14 December 2023**.
5. As a result, an extension has been granted for the Pre-Meeting Proxy Vote which is now requested to be lodged by Creditors, to the Company's business rescue email address at: BR@tongaat.com (if submitting it via email), by no later than **12h00 on Wednesday, 13 December 2023**.
6. Since voting by proxy at the 151 Meeting is permitted, an extension has also been granted for the submission of the 151 Meeting proxy forms for the purpose of nominating a person to vote on your behalf at the 151 Meeting. Creditors are reminded that (for convenience), proxy forms are included in each of the two Plans as "**Annexure F**" or are further available to download from the Company's website at: www.tongaat.com under the 'Business Rescue' tab.
 - 6.1. Creditors who are voting by proxy for this purpose, are required to lodge their completed proxy forms either by:
 - 6.1.1. delivering them 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 Tuesday 12 December 2023**.
 - 6.1.2. submitting them via email to the Company's business rescue email address at:

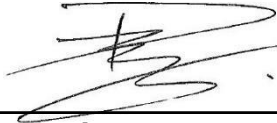
BR@tongaat.com by **no later than 17H00 on Wednesday 13 December 2023.**

7. In accordance with section 151(2) of the Act, Affected Persons are hereby notified that further details regarding the 151 Meeting will be distributed in due course.
8. Affected Persons are reminded that all documentation, information and notifications relevant to the business rescue proceedings of the Company, are available for review and/or download on the Tongaat website at: www.tongaat.com under the 'Business Rescue' tab.
9. If you have any requests or queries, they may be directed to the Company's business rescue team at: BR@tongaat.com.

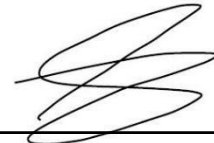
Yours faithfully,



TJ Murgatroyd



PF van den Steen



GC Albertyn

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