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TongaatHulett®

- Delivered by Email To:**
- All known Affected Persons of Tongaat Hulett Sugar South Africa Proprietary 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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11 January 2024

NOTICE TO AFFECTED PERSONS RE: ADJOURNMENT OF SECTION 151 MEETING IN THE BUSINESS RESCUE PROCEEDINGS OF TONGAAT HULETT SUGAR SOUTH AFRICA PROPRIETARY LIMITED (IN BUSINESS RESCUE) ("Company")

1. As previously advised, the Company's business rescue proceedings are inextricably linked with those of Tongaat Hulett Limited (in business rescue) ("**THL**"), the Company's parent and previously undisclosed legal "principal". This is due to the fact that the Company has operated as an undisclosed agent for THL. As a result, the business rescue proceedings of the Company are wholly dependent on the business rescue proceedings and business rescue plan of THL.
2. On 13 December 2023, the Court had ordered, *inter alia*, the adjournment of the meeting of THL ("**THL 151 Meeting**"), which was to be held in terms of section 151 of the Companies Act, to consider and, if appropriate, approve the THL's amended Plan, from Thursday, 14 December 2023 **to a date no later than 11 January 2024.**
3. The THL 151 Meeting was reconvened on 10 January 2024, however the section 152(2) vote has not yet taken place and therefore the THL 151 Meeting has not yet been concluded. Accordingly, the BRPs seek the approval of creditors by way of proxy for the adjournment of the Company's 151 Meeting to a date within 3 weeks from the date at which the THL 151 Meeting has been concluded and wherein the section 152(2) vote has taken place.

4. In accordance with section 151(2) of the Companies Act, Affected Persons are hereby notified that further details regarding the date for the reconvening of the 151 Meeting will be distributed in due course.
5. Creditors are accordingly requested to provide their consent for the request in paragraph 3 above 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 17h00 on Thursday, 11 January 2024.**
6. 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, under the 'Business Rescue' tab.

Yours faithfully,



TJ Murgatroyd



PF van den Steen



GC Albertyn

The Joint Business Rescue Practitioners of Tongaat Hulett Sugar South Africa Proprietary Limited (in business rescue)