



# 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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3 June 2025

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

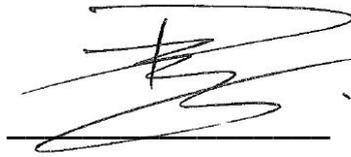
1. In accordance with section 128 of the Companies Act, as amended, read together with sections 144(3)(a), 145(1)(a) and 146(a) of the Companies Act, Affected Persons are hereby advised to consider the below notice.
2. Please take note that an urgent application was launched on 29 May 2025 in the High Court of South Africa, Gauteng Local Division, Johannesburg under case number 2025-079452 ("**the application**"), by RGS Group Holdings Limited ("**RGS**"), against *inter alios*, Vision Parties, the Company, the Business Rescue Practitioners. The Affected Persons of the Company are cited as the twelfth respondent in the application.
3. The relief sought by RGS appears from annexure "**X**" hereto, which is an extract from the Notice of Motion in the application.
4. As set out above, the applicants have cited the Affected Persons of the Company as the twelfth respondent in the abovementioned application. You are therefore entitled to (i) receive a copy of the application; (ii) take independent legal advice and (iii) participate in the application. A copy of the application is available on THL's website at <https://www.tongaat.com/business-rescue/>.
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.

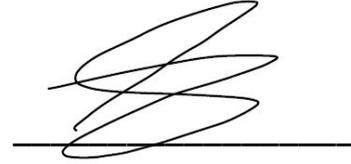
**Yours faithfully,**



**TJ Murgatroyd**



**PF van den Steen**



**GC Albertyn**

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

**"X"**

**IN THE HIGH COURT OF SOUTH AFRICA  
(KWAZULU-NATAL DIVISION, DURBAN)**

Case number:

In the matter between:

**RGS GROUP HOLDINGS LIMITED**

Applicant

and

**VISION INVESTMENTS 155 (PTY) LTD**

First Respondent

**TERRIS AGRIPRO (MAURITIUS)**

Second Respondent

**REMOGGO (MAURITIUS) PCC**

Third Respondent

**GUMA AGRI AND FOOD SECURITY LTD (MAURITIUS)**

Fourth Respondent

**ALMOIZ NA HOLDINGS LIMITED (UNITED ARAB  
EMIRATES)**

Fifth Respondent

**TONGAAT HULETT LIMITED**

Sixth Respondent

**(IN BUSINESS RESCUE)**

**TREVOR JOHN MURGATROYD N.O.**

Seventh Respondent

**PETRUS FRANCOIS VAN DEN STEEN N.O.**

Eighth Respondent

**GERHARD CONRAD ALBERTYN N.O.**

Ninth Respondent

**THE LENDER GROUP OF TONGAAT HULETT LIMITED**

Tenth Respondent

**THE INDUSTRIAL DEVELOPMENT CORPORATION OF  
SOUTH AFRICA**

Eleventh Respondent

**THE AFFECTED PERSONS IN THE SIXTH  
RESPONDENT'S BUSINESS RESCUE**

Twelfth Respondent

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**NOTICE OF MOTION**

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**BE PLEASED TO TAKE NOTICE THAT** application will be made on behalf of the abovementioned applicant on **WEDNESDAY, 11 JUNE 2025** at 09h30 or so soon thereafter as counsel may be heard for an order in the following terms:

1. That the applicant's non-compliance with the Uniform Rules of Court relating to service, time periods and forms be condoned, and the applicant be permitted to bring this application as a matter of urgency in terms of Rule 6 (12).
2. That the first to fifth respondents ("**Vision**") be directed to provide the applicant with the following within 5 business days:



- 2.1. Proof of the payment of R1.51 billion made by Vision to the Lender Group on 11 January 2024;
- 2.2. Proof of the payment of circa R2 billion made by Vision to the Lender Group on 9 May 2025;
- 2.3. A copy of the agreement concluded between Vision and the Lender Group in terms of which Vision has acquired all of the Lender Group's claims and security against Tongaat Hulett Limited ("**THL**");
- 2.4. Copies of all previous versions of the agreement referred to in the preceding paragraph;
- 2.5. Proof that all of the Lender Group's claims and security against THL have been transferred to Vision;
- 2.6. A written statement confirming whether or not:

2.6.1. any of THL's assets, or any rights in relation thereto, were proffered by Vision to its funders, whether as security, collateral, pledge, guarantee or any similar mechanism, in order to raise the funds necessary to acquire the Lender Group's claims and security;

2.6.2. any of Vision's financial obligations owed to the Lender Group or any of Vision's financial obligations relating to the implementation of the business rescue plan will be satisfied in whole or in part, whether in the first instance or in the event of a default of payment by Vision, from the proceeds of:



2.6.2.1. financing raised by selling THL assets or putting such assets up as collateral; or

2.6.2.2. any facility granted in favour of THL by the Lender Group, the Industrial Development Corporation of South Africa, or any other funder.

3. That the costs of this application be paid by the first to fifth respondents, together with any party opposing the relief sought herein, jointly and severally the one paying the other to be absolved on scale C.

4. Further and/or alternative relief.

**TAKE NOTICE FURTHER** that the accompanying affidavit of **MOMADE AQUIL RAJAHUSSEN** shall be used in support of this application.