

- 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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18 September 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 AS AMENDED ("the Companies Act") READ TOGETHER WITH SECTIONS 144, 145 AND 146 OF THE COMPANIES ACT

AFFECTED PERSONS ARE HEREBY NOTIFIED, PURSUANT TO THE SECTIONS OF THE COMPANIES ACT REFERRED TO ABOVE, THAT -

1. The application ("**the Application**")¹ instituted by RGS Group Holdings Limited ("**RGS**") against, amongst others, the Company and the BRPs ("**the THL Respondents**") in the High Court of South Africa, KwaZulu-Natal Local Division, Durban under case number 2025-136677 was called for hearing on 16 September 2025 before the Honourable Acting Justice Sipunzi.
2. Sipunzi AJ delivered an *ex tempore* judgment (on the day of the hearing) finding that RGS had failed to (i) meet the necessary requirements to demonstrate an entitlement to have the Application adjudicated as a matter of urgency; and (ii) demonstrate that it (RGS) would not be able to achieve substantial redress in due course if the Application was not heard on an urgent basis. Sipunzi AJ ordered , *inter alia*, that -
 - (i) the Application be struck off the roll for lack of urgency;
 - (ii) RGS is to pay the THL Respondents' costs on the C Scale, including the cost of two counsel; and

¹ Referred to in the Business Rescue Practitioners' Notice to Affected Persons dated 13 August 2025 (<https://www.tongaat.com/thl-notice-to-affected-persons-13-august-2025/>)

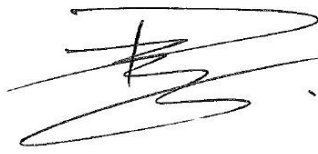
(iii) the costs in respect of the THL Respondents' application in terms of Uniform Rules 47(3) and 47(4) that was heard before her on 3 September 2025, be reserved.

3. All notices and documents *vis-à-vis* 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 Company's website at: www.tongaat.com, under the 'Business Rescue' tab.

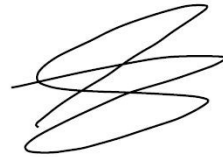
Yours faithfully



TJ Murgatroyd



PF van den Steen



GC Albertyn

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