



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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27 August 2026

NOTICE TO ALL KNOWN AFFECTED PERSONS OF TONGAAT HULETT LIMITED (IN BUSINESS RESCUE) ("THL")

A. THE CONSTITUTIONAL COURT ORDER (CASE NO. CCT 31/26)

1. The Constitutional Court has delivered judgment in respect of the application for condonation, leave to appeal and leave to file a replying affidavit in case number CCT 31/26, in the matter between THL, Tongaat Hulett Sugar South Africa (Proprietary) Limited (in business rescue) and the Joint Business Rescue Practitioners, as applicants, and the South African Sugar Association and the other respondents named therein. Judgment was as follows -

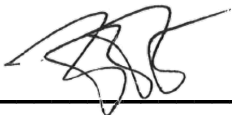
"The Constitutional Court has considered the application for condonation, leave to appeal and leave to file a replying affidavit. It has concluded that the delay in bringing the application for leave to appeal is minimal, the explanation for the delay is adequate and there is no prejudice to the respondents. Consequently, condonation must be granted. It has also concluded that a case has been made out for leave to file a replying affidavit. As a result, leave to file a replying affidavit is granted. Finally, it has concluded that there are no reasonable prospects of success on the merits of the application for leave to appeal. Therefore, leave to appeal must be refused with costs. "

2. The BRPs are currently engaging with their Counsel and relevant stakeholders to consider the implications and impact of the judgment on the business rescue process, if any. The full judgment will be published and made available on the Tongaat Hulett website at www.tongaathulett.com under the "Business Rescue" tab.

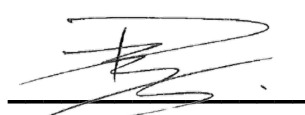
B. RGS GROUP HOLDINGS LIMITED — APPLICATION FOR LEAVE TO APPEAL

3. As previously advised, on 24 July 2026, the KwaZulu-Natal High Court (Singh J) handed down judgment in the counter-application instituted by RGS against, the BRPs and Vision Investments 155 (Proprietary) Limited ("**Vision**"), in which RGS sought, among other relief, to set aside the Business Rescue Plan of THL approved and adopted by creditors on 11 January 2024 (the "**Vision Plan**").
4. On 20 August 2026, RGS filed an application for leave to appeal to a Full Bench of the Durban High Court (KwaZulu-Natal Division), against the whole of the judgment and order of 24 July 2026, except for the dismissal of the relief sought in paragraph 7 of the notice of counter-application (execution relief), which RGS does not appeal.
5. The application for leave to appeal will be opposed. No date for the hearing of the application for leave to appeal has yet been allocated by the Registrar.
6. Pending determination of the application for leave to appeal (and of any further appeal, should leave be granted), the order of 24 July 2026 will remain in effect, and the Vision Plan remains the adopted Business Rescue Plan of THL.
7. Affected Persons are reminded that all notices and documents regarding the business rescue proceedings of THL that have been and/or will be circulated to all known Affected Persons are and will be published and made available on the Tongaat Hulett website at www.tongaathulett.com under the "Business Rescue" tab.

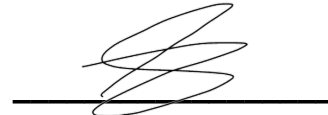
Yours faithfully,



TJ Murgatroyd



PF van den Steen



GC Albertyn

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