

TONGAAT HULETT LIMITED

(Incorporated in the Republic of South Africa)

Registration number: 1892/000610/06

Share code: TON

ISIN: ZAE000096541

("Tongaat Hulett" or "Company")



NOTICE TO AFFECTED PERSONS OF TONGAAT HULETT LIMITED

In accordance with section 128 of the Companies Act 71 of 2008 Act, as amended, ("**the Act**"), read together with sections 144(3)(a), 145(1)(a) and 146(a) of the Act, Affected Persons have been advised in a further Notice ("**the Notice**") issued on 11 December 2023 that RGS Group Holdings Limited ("**RGS**"), in their capacity as "affected persons" in the business rescue proceedings of the Company, have lodged an urgent application in the High Court of South Africa, KwaZulu Natal Local Division, Durban, inter alios, relating to the Company and the Business Rescue Practitioners ("**BRPs**") ("**the Application**").

The Application has sought:

- that the Application be consolidated for a joint hearing on Wednesday, 13 December 2023 with the applications filed by RCL Foods Sugar & Milling (Proprietary) Limited and the South African Sugar Association (Shareholders are referred to the SENS published on 6 December 2023 for necessary details regarding these applications);
- the BRPs be ordered to convene the meeting in terms of section 151 of the Act ("**the Meeting**") on Thursday, 14 December 2023;
- the BRPs be prohibited and restrained from conducting a "Pre-Meeting Proxy Vote" in advance of the Meeting to determine the sequence in which the two proposed business rescue plans will be tabled for consideration at the Meeting; and
- the BRPs be ordered to first table the RGS business rescue plan for consideration and call for a vote on the adoption of the RGS business rescue plan at the Meeting.

The Company and the BRPs have opposed the Application.

Affected Persons are reminded that all notices and documents regarding the business rescue proceedings, including the abovementioned Notice, of the Company that have been circulated to all known Affected Persons, are published and made available to all Affected Persons, on the Tongaat Hulett website at: www.tongaathulett.com, under the 'Business Rescue' tab.

12 December 2023

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