

**TONGAAT HULETT LIMITED**

(Incorporated in the Republic of South Africa)

Registration number: 1892/000610/06

Share code: TON

ISIN: ZAE000096541

("Tongaat Hulett" or "Company")



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**URGENT NOTICE TO AFFECTED PERSONS OF TONGAAT HULETT LIMITED**

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Shareholders are referred to the SENS announcements released over the past week relating to:

- the judgment of Honourable Judge Vahed dated 4 December 2023, under case number D4472/2023, in the matter between, inter alios, the Company, Tongaat Hulett Sugar South Africa (Pty) Ltd and the joint business rescue practitioners of the Company ("**the BRPs**") (which is referred to as the "**Main Application**"), in terms of which the applicants have applied for leave to appeal; and
- "**The Urgent Applications**":
  - an urgent application launched on 5 December 2023 in the High Court of South Africa, KwaZulu Natal Local Division, Durban, ("**the Court**") under case number D13763/2023, by RCL Foods Sugar & Milling (Proprietary) Limited against, inter alios, the Company and the BRPs;
  - a further urgent application launched on 5 December 2023 in the Court, under case number D13739/2023, by the South African Sugar Association against, inter alios, the Company and the BRPs; and
  - a further urgent application launched on 11 December 2023 in the Court, under case number D14036/2023, by RGS Group Holdings Limited, with registration number C134230 – C2/GBL ("**RGS**"), against, inter alios, the Company and the BRPs.

On Wednesday 13 December 2023, the Urgent Applications were heard and the Court has ordered, inter alia, the adjournment of the meeting of the Company, which is to be held in terms of section 151 ("**151 Meeting**") of the Companies Act 71 of 2008 ("**the Act**"), to consider and, if appropriate, approve the Company's amended business rescue plan, from Thursday 14 December 2023 to a date no later than Thursday 11 January 2024.

In addition, the Court has ordered that the business rescue plans published on 29 November 2023, in their unamended form, shall not be voted on and the Main Application and the Urgent Applications outlined above shall be postponed *sine die*.

In accordance with section 151(2) of the 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.

Affected Persons are reminded that all notices and documents regarding the business rescue proceedings 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.tongaat.com](http://www.tongaat.com), under the 'Business Rescue' tab.

If you have any requests or queries, they may be directed to the Company's business rescue team at: [BR@tongaat.com](mailto:BR@tongaat.com).

14 December 2023

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