

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

Shareholders are advised that a notice has been issued in accordance with section 128 of the Companies Act 71 of 2008 ("**the Act**"), as amended, read together with sections 144(3)(a), 145(1)(a) and 146(a) of the Act, to Affected Persons ("**Notice**").

An application ("**the application**") was issued on 5 April 2024 in the High Court of South Africa, KwaZulu Natal Local Division, Durban, under case number D3902/2024, by Mohini Singari Naidoo trading as Powertrans Sales & Services ("**Powertrans**"), against, inter alios, the Company, the Company's appointed Business Rescue Practitioners ("**the BRPs**") and the Vision Parties.

In the application, Powertrans has sought, inter alia, the following relief in the application:

- to the extent necessary, granting Powertrans leave to bring the application against the Company in terms of section 133(1)(b) of the Companies Act;
- declaring the business rescue plan adopted in relation to the Company at the meeting of creditors held on 11 January 2024 to be unlawful and setting it aside;
- directing the Company and the BRPs to comply, in the manner contemplated in section 7(k) of the Companies Act, with their duties and the procedures which are set out in sections 140(1)(d), 141(1) & (2) (a), 145(1)(a) and 150 to 152 of the Companies Act; and
- that the costs of the application, including the costs of two counsel, be paid by the Company and the BRPs as well as any other party who enters notice to oppose jointly and severally, the one paying the others to absolved.

A copy of the Notice of Motion and Founding Affidavit in the abovementioned application is available on THL's website at <https://www.tongaat.com/business-rescue/>.

Shareholders and Affected Persons are reminded that all notices and documents regarding the business rescue proceedings of the Company, including the abovementioned Notice, 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, under the 'Business Rescue' tab.

11 April 2024

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