

**TONGAAT HULETT LIMITED**

(Incorporated in the Republic of South Africa)

Registration number: 1892/000610/06

Share code: TON

ISIN: ZAE000096541

(the “**Company**” or “**THL**”)



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

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Shareholders are advised that 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, Affected Persons are hereby advised to consider the Notice ("**the Notice**") published on the Company's website, [www.tongaat.com](http://www.tongaat.com), under the 'Business Rescue' tab.

Shareholders are referred to the related Stock Exchange News Services announcements ("**SENS**") released on 5 December 2023 regarding the judgment of Honourable Judge Vahed ("**Vahed J**") dated 4 December 2023 ("**the judgement**"), under case number D4472/2023, in the application between, inter alios, the Company, the joint business rescue practitioners of the Company ("**the BRPs**") and the South African Sugar Association ("**SASA**") ("**the declarator application**"), in terms of which the Company and the BRPs applied for leave to appeal. An initial SENS released on 5 May 2023 provided full details of the original declarator application.

The decision on the applicants' leave to appeal was electronically handed down on 6 May 2024 by Vahed J. Vahed J has dismissed the leave to appeal with costs. A copy of the leave to appeal judgement in the declarator application is available on THL's website at <https://www.tongaat.com/business-rescue/>.

As previously advised, the Company has cited the Affected Persons of THL as the twenty-three thousand and first respondent in the declarator application. Affected Persons are therefore entitled in terms of the Act to, *inter alia*, (i) receive a copy of the declarator application, (ii) take independent legal advice vis-à-vis the declarator application and (iii) participate in the declarator application proceedings.

The Company and the BRPs are taking advice in relation to petitioning to the Supreme Court of Appeal ("**SCA**") for leave to appeal the judgement. Any petition to the SCA must be filed by 6 June 2024.

Shareholders and Affected Persons are reminded that all notices and documents regarding 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 Tongaat website under the 'Business Rescue' tab at <https://www.tongaat.com/business-rescue/>

8 May 2024

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