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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.

8 May 2024

NOTICE TO ALL KNOWN AFFECTED PERSONS OF TONGAAT HULETT LIMITED (IN BUSINESS RESCUE) ("Company") IN TERMS OF SECTION 128 OF THE COMPANIES ACT 71 OF 2008 ("the Companies Act") READ TOGETHER WITH SECTIONS 144, 145 AND 146 OF THE COMPANIES ACT

1. Affected Persons are referred to the BRPs' notice in terms of section 128 of the Companies Act dated 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. Affected Persons are further referred to the BRPs' notice in terms of section 128 of the Companies Act dated 5 May 2023 for full details of the declarator application.
2. 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/>.
3. 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 Companies 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.

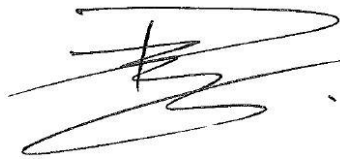
4. The Company and the BRPs are taking advice in relation to petitioning to the Supreme Court of Appeal (SCA) for leave to appeal the judgement. Any petition to the SCA must be filed by 6 June 2024.

5. 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 at: www.tongaat.com, under the 'Business Rescue' tab.

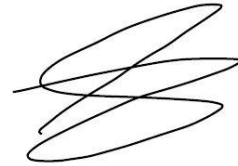
Yours faithfully,



TJ Murgatroyd



PF van den Steen



GC Albertyn

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