



ARNOTOPCO

Circular Thirty-Six: To All Known Creditors and Other Affected Persons of Arnot Opco Proprietary Limited (Registration Number: 2019/072282/07) (in Business Rescue) (the "Company")

22 October 2026

Dear Sir/Madam

1. Reference is made to Circular Thirty-Five (the "**Circular**"), in which the Business Rescue Practitioner (the "**BRP**") of the Company sought approval from the holders of voting interests, in terms of section 153(1)(a)(i) of the Companies Act, to prepare and publish a revised business rescue plan following the judgment handed down by the Constitutional Court (the "**CC**") on 7 October 2026 in *Salungano Group Ltd v Mashwayi Projects (Pty) Ltd and Others; Ndalamo Coal (Pty) Ltd v Mashwayi Projects (Pty) Ltd and Others [2026] ZACC 38* ("the Judgment").
2. Following the issuance of Circular Thirty-Five, the BRP received a letter from one of the Company's creditors requesting an extension of the deadline for the submission of **Annexure A**. Having considered the contents of the letter, the BRP has extended the deadline for submission of Annexure A to **16h00 on Friday, 23 October 2026**, to afford all holders of voting interests a further opportunity to vote on the motion.
3. Holders of voting interests who have not yet submitted Annexure A in respect of the motion set out in Circular Thirty-Five are requested to submit their completed Annexure A to arnotopcobr@gcs-sa.co.za by no later than the deadline stipulated in paragraph 2 above.
4. Creditors and other affected persons of the Company may direct any queries in relation to this circular to arnotopcobr@gcs-sa.co.za and are reminded that all relevant notices and documents (including the court applications and the Judgments) are available online at: <https://arnot-opco.com/business-rescue/>.

Yours faithfully,



Contact us

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013 297 8008
talktous@arnotopco.com
www.arnot-opco.com



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ARNOTOPCO

Phahlani Mkhombo N.O.

Business Rescue Practitioner

Arnot Opco Proprietary Limited (in Business Rescue)



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