

Dear Valued Customer

DECLARATION OF FORCE MAJEURE DUE TO ANTICIPATED STRIKE ACTION BY RECOGNISED UNIONS

This serves as a formal declaration by Transnet Port Terminals, an operating division of Transnet SOC Ltd, of the occurrence of an event of Force Majeure to all our customers following the strike action declared by the two recognized unions within Transnet, namely SATAWU and UNTU, anticipated to commence on 06 October 2022.

The strike has been declared against the offered wage increases by Transnet SOC Ltd for the new financial year as well as the fact that no wage increases were approved for the current financial year.

This comes after extensive and protracted negotiations with the unions based on Transnet's current and forecasted financial position.

Clause 11 of the Transnet Port Terminals Standard Terms and Conditions defines an "Event of Force Majeure" to mean an event beyond the control of TPT and the Customer, which prevents a Party from complying with any of its obligations under any Contract, including but not limited to riot, commotion, strikes, go slows, lock outs or disorder.

Accordingly, we hereby declare the occurrence of an event of force majeure, which excuses our performance while the effects of this event are continuing.

At this time, we anticipate that portions of our operations will be scaled down. However, and to the extent possible, we will attend to invoke contingency plans and source external stand-in / temporary resources to ensure that the operations continue across the various terminals. Should the strike extend beyond the anticipated period of one week, Transnet will assess the impact of the strike on its operations and the Force Majeure event declaration, and further communication in this regard will be forthcoming from Transnet Port Terminals.

To the extent necessary and with a view to minimise the impact of the Force Majeure event on our respective contractual obligations, Transnet Port Terminals is open to having consultations with customers who are willing to engage with our executive team to find practical means aimed at overcoming the effect of this Force Majeure Event to ensure acceptable levels of our respective performance and contractual obligations and cargo handling efficiencies across our terminals is maintained.

As TPT continues to manage operations at the dedicated container terminals with the limited resources available, we will schedule vessels in accordance with the general weekly berthing and principles as per the CTOC agreement. The following principles will be applied

Transnet SOC Ltd	138 Eloff Street	P.O. Box 72501
Registration Number	Braamfontein	Parkview, Johannesburg
1990/000900/30	JOHANNESBURG	South Africa, 2122
	2000	

Directors: Dr PS Molefe (Chairperson) PPJ Derby* (Group Chief Executive) UN Fikelepi ME Letlape DC Matshoga Prof FS Mufamadi AP Ramabulana GT Ramphaka LL von Zeuner NS Dlamini* (Group Chief Financial Officer)

*Executive

Group Company Secretary: Ms S Bopape

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TRANSNET HAS A 'ZERO GIFTS' POLICY. NO EMPLOYEE IS ALLOWED TO ACCEPT GIFTS, FAVOURS OR BENEFITS

in order to ensure orderly business continuity:

- a) Shipping Lines will not be allowed to swap berthing slots.
- b) Where a Shipping Line elects to bypass a nominated vessel, such berthing slot will be forfeited.
- c) Within this Force Majeure period, CTOC vessels will take priority over non-CTOC vessels and will be scheduled in accordance with the general weekly berthing and scheduling principles as per the CTOC agreement. However, the slot is not guaranteed due to the operational circumstances under the force majeure period. Non CTOC vessels will only be berthed ahead of the CTOC vessel in specific circumstances (including, but not limited to, space requirements, vessel sizes and the profile of the applicable vessel), provided it does not compromise any follow-on CTOC vessels.
- d) Vessels with stacks already open will not be de-prioritised by a vessel with an earlier CTOC slot.
- e) Should a CTOC vessel arrive late in terms of its ETA by more than 6 hours, then a CTOC vessel arriving on time in terms of its ETA provided to TPT will be given berthing preference, stack and berth permitting.

Thank you for your continued support and commitment to Transnet Port Terminals, acknowledging that together we can overcome the impact of this strike action.

Yours faithfully



Mr. Jabu Mdaki
Chief Executive
Transnet Port Terminals
Date: 6 October 2022