26 July 2021

Dear Valued Customer

DECLARATION OF FORCE MAJEURE FOR TRANSNET PORT TERMINALS CONTAINER TERMINALS IN THE PORTS OF DURBAN, NGQURA, PORT ELIZABETH AND CAPE TOWN - CONFIDENTIAL NOTICE TO CUSTOMERS

This serves as notice of declaration of Force Majeure event, which occurred on 22nd July 2021 and continues to persist, when Transnet, including TPT, experienced an act of cyber-attack, security intrusion and sabotage, which resulted in the disruption of TPT normal processes and functions or the destruction or damage of equipment or information ("the FM Event").

Investigators are currently determining the exact source of the cause of compromise and extent of the ICT data security breach/sabotage.

Transnet is implementing all available and reasonable mitigation measures to limit the impact of this compromise. Accordingly, TPT hereby invokes the provisions of clause 11.1 read together with clause 11.2.11, of the TPT Conditions of Trade and as TPT is prevented from, or delayed in performing any of its obligations under such Conditions of Trade or such commercial agreements in respect of the Container sector, hereby gives notice of an FM Event declaration with immediate effect. TPT's relieve from liability stipulated herein will remain in full force and effect despite the implementation of the mitigation measures detailed herein.

In keeping with the provisions of clause 11 of the TPT Conditions of Trade, TPT has put certain mitigation measures in place to ensure operations at the container terminals are still running albeit slower than expected. One such measure is to ensure that a manual system has been put into place for the loading and discharge of containers. Further, in the event that any damage occurs during operations customers will be notified using a manual process which will be confirmed via email as soon as TPT systems are up and running again.

In addition, this notice prescribes how TPT will treat berthing, imports and exports at the Container Terminals as this event persists.

The aforesaid container terminals will be treated as per the below measures, in terms of meeting the contractual commitments as far as is reasonably possible:

Berthing

TPT will continue to apply the berthing principles of the Container Terminal Operations Contract (CTOC) in the container terminals. This is currently the most practical way of addressing the backlog and maintaining a complimentary port schedule for our affected shipping lines.

Export stack extensions

Export stacks will be extended as required, based on consultation with the shipping line. These stack extensions will be communicated at a terminal level.

Import storage charges

TPT have not charged storage in the container terminals, with effect from 06h00 on 22 July 2021. TPT will continue granting these extensions on a 24 hour notice basis. TPT will send notification for the re-commencement of storage in terminal communication.

Should there be urgent cargo to be collected, we ask that the Shipping Lines contact the Planning Manager, Terminal Manager and Key Account Manager via cell phone text messages for coordination.

TPT has instituted its business continuity plans and has dedicated teams who are planning the business recovery together in order to facilitate a smooth running terminal as soon as possible.

We reserve the right to change the above-mentioned approach if required, or withdraw this notice should the situation be restored

We thank you for your understanding in this regard.

Yours faithfully,

Pp

Velile Dube
Chief Executive
Transnet Port Terminals