FORM 49

NOTICE TO NON-ASSENTING SHAREHOLDERS

[Section 612 (1) of the Companies Act, 2015]

1. Name(s) and address(es) of non-existing shareholder(s):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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2. A takeover offer was made on: \_\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_\_ [dd/mm/yyyy]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For KES \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
  
shares/securities in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(“the Company)

3. The offeror(s) has/have within the relevant time period specified in section 612 (1) of the companies Act, 2015 satisfied the conditions contained in subsection (2) or (4) of section 611 of that act. The offeror(s) give(s) notice that he/they now intend(s) to exercise his/their right under section 611 of the Companies Act, 2015 to acquire shares held by you in the company. The terms of the offer are-

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4. If the terms include a choice of consideration, you should within 6 weeks of the date of this notice inform the offeror(s) in writing at-

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Which includes the choices you wish to accept. If you fail to make a choice and do not make application to the court (see below) the offeror(s) will acquire your shares/securities on the following terms-

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NOTE: You are entitled under section 618 of the Companies Act, 2015 to make application to the court within 6 weeks of the date of this notice for an order either that the offeror(s) shall not be entitled or bound to acquire shares or that different terms to those of the offer shall apply to the acquisition. If you are contemplating such an action you may wish to seek legal advice.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_