

*Hai Phong, 14<sup>th</sup> June, 2021*

**REGULATIONS ON COLLECTING SHAREHOLDER'S OPINION IN WRITTING  
PORT OF HAI PHONG JOINT STOCK COMPANY**

*(Regarding the authorization to decide issues under the authority of the General Meeting of Shareholders during the implementation of the investment project to construct Container berths No. 3 and No. 4 in Hai Phong International Gateway Port (Lach Huyen port complex), Hai Phong city)*

Pursuant to the Law on Enterprise No. 59/2020/QH14 passed by the National Assembly of the Socialist Republic of Vietnam on June 17, 2020;

Pursuant to the Charter of organization and operation of Port of Hai Phong Joint Stock Company;

This Regulation stipulates the general principles in collecting written shareholder opinions of Port of Hai Phong Joint Stock Company;

Shareholders of Hai Phong Port Joint Stock Company (the Company) who are subject to written opinions are responsible for complying with these regulations.

**Article 1. Subjects entitled to get written opinions**

1. Shareholders owning shares have the right to vote according to the list of shareholders at the closing date of June 11, 2021 of the Vietnam Securities Depository.
2. Each share is equal to 01 voting right.

**Article 2. Documents to collect opinions of shareholders**

1. Written shareholder opinion form:
  - a. Written shareholder opinion form issued by Port of Hai Phong Joint Stock Company and sent to shareholders with voting rights.
  - b. The content and form of the Written shareholder opinion form must comply with the provisions of the company's charter and existing laws.
2. Other documents

Port of Hai Phong Joint Stock Company provides information and content of issues that need to be consulted by shareholders in a reasonable, convenient way and in accordance with existing regulations.

**Article 3. Responsibilities of shareholders**

1. Shareholders vote on the Written shareholders opinion form, sign for certification and send the opinion form to Port of Hai Phong Joint Stock Company according to the instructions in the Written shareholder opinion form.
2. Shareholders authorized to vote for other individuals:

- a. Shareholders have the right to authorize other individuals to vote in the Written shareholder opinion form, sign and confirm and send the form for giving opinions to Port of



Hai Phong Joint Stock Company according to the instructions in the Written shareholder opinion form for the Authorized Person.

b. The Written shareholder opinion form must be enclosed with the original Power of Attorney, a copy of the Authorized Person's Identity Card/Citizen Identification Card. Shareholders can refer to the Power of Attorney form enclosed with the Written shareholder opinion form sent by Port of Hai Phong Joint Stock Company or posted on the company's website.

3. Shareholders authorize other organizations:

a. Shareholders have the right to authorize other organizations to vote and the legal representative of the authorized organization will vote by using the Written shareholder opinion form, sign for confirmation and send the opinion form to Port of Hai Phong Joint Stock Company according to the instructions in the Written shareholder opinion form for the Authorized Person.

b. The Written shareholder opinion form must be enclosed with the original Power of Attorney, a copy of the Identity Card/Citizen Identification Card of the legal representative of the authorized organization. Shareholders can refer to the Power of Attorney form enclosed with the Written shareholder opinion form sent by Port of Hai Phong Joint Stock Company or posted on the company's website.

**Article 4. Method of voting and sending shareholder opinion form**

1. Voting method

a. Shareholder/Authorized Person writes an X or  $\surd$  in one of the boxes for voting opinions in the Written shareholder opinion form.

b. Shareholder/Authorized Person sign for certification in the Written shareholder opinion form.

2. Invalid Written shareholder opinion form:

- Not issued by Port of Hai Phong Joint Stock Company;
- There is no signature of the shareholder as an individual or a legal representative of the organization or the authorized representative of the shareholder;
- There are signs of erasure or revision; torn, worn, blurred;
- Having additional alphanumeric signs or characters different from the instructions in the voting options; other information that is not included in the content of opinion collection;
- The Written shareholder opinion form is marked with two (02) or more voting options for one content raised;
- The Written shareholder opinion form sent to Port of Hai Phong Joint Stock Company after the prescribed time limit;
- The Written shareholder opinion form has been opened in the case of mailing or disclosed before the time of vote counting in the case of sending by fax or email;
- Written shareholder opinion form sent to Port of Hai Phong Joint Stock Company has no valid authorization document attached in case of authorization to give opinions;

3. Valid Written shareholder opinion form:

a. Cases without any sign in Clause 2, Article 4 of this Regulation shall be determined



as valid votes.

b. In case a shareholder/authorized person does not check any of the three boxes in the voting option but still signs, clearly writes his/her full name and stamps on the Written shareholder opinion form, the vote will be considered to be **No opinion**.

#### 4. How to send shareholder opinion form

Shareholder/Authorized Person votes on the content of opinion polls in the Written shareholder opinion form issued by Port of Hai Phong Joint Stock Company and send opinions to the company by one of the following methods:

- Written shareholder opinion form (**Original copy**) sent to the address: Company Secretary – Head office of Port of Hai Phong Joint Stock Company, No. 8A Tran Phu Street, May To Ward, Ngo Quyen District, Hai Phong City.

- Shareholder opinion form (**Scanned copy**) sent to email address:

congbothongtin@haiphongport.com.vn

- Shareholders opinion form (**Fax copy**) sent to fax number: 0225.3652192

#### **Article 5. Counting votes and making report of counting votes**

1. The Board of Management of Port of Hai Phong Joint Stock Company organizes the counting of votes and makes a report of vote counting under the witness and supervision of the Company's Supervisory Board.

2. The vote counting report must include the following main contents:

a. Name, head office address, enterprise tax code;

b. Purpose and issues to be consulted to pass the resolution;

c. Number of shareholders with the total number of votes that participated in the vote, in which the number of valid and invalid votes is separated and the method of sending the votes, together with an appendix of the list of participating shareholders;

d. Total number of votes for, against and abstention for each issue;

e. The issue has been passed and the proportion of votes passed;

f. Full name and signature of the Chairman of the Board of Management, the person supervising the counting of votes and the person counting the votes.

The members of the Board of Management, the vote counting person and the vote counting supervisor must be jointly responsible for the truthfulness and accuracy of the vote counting report; jointly responsible for losses arising from the decision passed due to dishonest or inaccurate counting of votes;

3. The vote counting report and resolution shall be posted on the website of Port of Hai Phong Joint Stock Company within 24 hours from the time of counting the votes.

#### **Article 6. Approval of the Resolution of the General Meeting of Shareholders**

1. The Resolution shall be passed in the form of collecting written opinions of shareholders if it is approved by the number of shareholders holding more than 50% of the total votes of all voting shareholders and has the same value as the resolution approved at the General Meeting of Shareholders.

2. The Resolution of the General Meeting of Shareholders is posted on the website of Port of Hai Phong Joint Stock Company.



The above are regulations on the implementation of procedures for collecting shareholder opinions in writing. The Board of Management, Supervisory Board, Executives and related individuals are responsible for implementation ./.

*Handwritten signature*

**ON BEHALF OF THE BOARD OF  
MANAGEMENT**



**Pham Hong Minh**

