

No. TAPAC 10/2021

December 15, 2021

Subject: Notification to the Holders of TAPAC-W4 on Exercise of Rights to Purchase Ordinary Shares of Tapaco Public Company Limited (4<sup>th</sup> time)

To: The President of the Stock Exchange of Thailand

As Tapaco Public Company Limited issued and offered warrants to purchase ordinary shares of Tapaco Public Company Limited amounting 205,931,725 units, with the exercise period on the last business day of June and December of each calendar year throughout the tenor of TAPAC-W4 of 2 years (The last exercise date is on March 18, 2022), the Company would like to notify holders of TAPAC-W4 timing and procedures to exercise their rights to purchase ordinary shares of the Company as follows:

1. Notification Period      December 23-24 and 27-29, 2021  
from 9.00 a.m.- 4.00 p.m.
  2. Exercise Date            December 30, 2021
  3. Exercise Ratio            1 warrant for 1 ordinary share
  4. Exercise Price            Baht 9.00 (Nine Baht only) per share
5. Documents to be submitted for Notification of Intention to Exercise TAPAC-W4
- 5.1 Completed form for the notification of the intention to exercise the warrants signed by Holders of TAPAC-W4 and the warrant or the warrant substitute as per the form as prescribed by the Securities Depository in the amount specified in the form for the notification of the intention to exercise the warrants. If holder of TAPAC-W4 is a juristic person, the notification form must be signed by the authorized signatory together with company seal affixed (if any);
  - 5.2 A warrant certificate or a replacement warrant certificate as prescribed by the SET;
  - 5.3 Pay the exercise price according to the amount specified in the form for the notification of the intention to exercise the warrants to the Company. Holders of TAPAC-W4 who wish to exercise the rights to purchase ordinary shares shall pay the exercise via any of the following means:
    - 5.3.1 Transfer money to the current bank account called "Tapaco Public Company Limited for Newly Issued Ordinary Share Subscription" No.009-3704-98-9 at Bangkok Bank Plc. (Central Embassy Branch). After transferring money to the account above, holders of TAPAC-W4 shall send the Company pay-in slip as evidence of payment;
    - 5.3.2 Pay by cheque, cashier cheque or draft that is collectible within Bangkok area within 3 p.m. of each Exercise Date and is crossed for payment to the current bank account called "Tapaco Public Company Limited for Subscription of Newly Issued Ordinary Shares".
- The exercise of rights to purchase ordinary shares of the Company shall be completed only when the Company collects the payment for such shares. If the Company could not collect such payment in whatsoever case that is not according to the fault of the Company, the Company shall consider that such intention to exercise the warrants is nullified without being exercised.

6. Supplemented Documents for Exercise of TAPAC-W4

- 1) Thai natural person: A certified true copy of identification card or civil officer identification card/ state enterprise officer identification card that is not expired, including a copy of the house registration (in case of any name /surname change which cause the unmatched with the name/surname appears on the warrants, attached herewith the copy of any documents issued by the governmental authority (e.g. marital registered certificate, divorce certificate, certificate of name/surname change etc.)
- 2) Foreign natural person: A certified true copy of passport or foreigner certificate that is not expired.
- 3) Thai juristic person: 3.1) A certified true copy of the affidavit issued by Ministry of Commerce for no longer than 6 months prior to the Exercise Date which contains the signature of person(s) authorized to sign and affix the seal of such juristic person (if any); and 3.2) A certified true copy of the documents as specified in Clause 1) or 2), as the case may be, of the authorized person(s) who certifies the documents under Clause 3.1) above.
- 4) Foreign juristic person: 4.1) A certified true copy of the certificate of establishment, memorandum of association and/or affidavit of the juristic person certified by authorized person(s) of such juristic person as well as affixing the seal of such juristic person (if any); and 4.2) A certified true copy of passport of the authorized person(s) who certify the copy mentioned in Clause 4.1) that is not expired. A copy of the supplemented documents for the notification of the intention to exercise the warrants of the foreign juristic person as specified in Clause 4.1) and Clause 4.2) above, certified by authorized person(s), shall be notarized by notary public and legalized by Thai Consular or Thai Embassy in the country where the documents have been prepared or certified, which has no more than 1 year-term prior to the Exercise Date.

If holders of TAPAC-W4 fail to submit evidence supporting the exercise of the warrants as mentioned above, the Company reserves the rights to consider that such person has no wish to exercise the rights under the warrants.

#### 7. Place to Exercise TAPAC-W4

Tapaco Public Company Limited

789/40 Moo1, Nong Kham Sub-District, Sri Racha District, Chonburi Province, 20230

Tel No: 0-3829-6339-41

Fax No: 0-3834-8029,0-3829-6342

Please contact : Mr.Soros Tangnaitham

#### 8. Other Conditions

If the Company receives an incomplete or incorrect warrant or warrant substitute, or if the payment received by the Company in an amount less than that specified in the form for the notification of the intention to exercise the warrants, or if the Company finds any incomplete or incorrect details in such form or the stamp duties attached (if any) are incomplete according to regulations or laws, holders of TAPAC-W4 shall correct such incorrectness within the Period for the Notification of the Intention to Exercise the Warrants. If holder of TAPAC-W4 fails to amend such incorrectness within such date, the Company shall deem that the notification of the intention to exercise the warrants is nullified without being exercised. In this regard, the Company shall return money received to such holder of TAPAC-W4 within 14 days after the Exercise Date without any interest in whatsoever case. However, in the case that holder of TAPAC-W4 fails to make a full payment or make excess payment, the Company is entitled to take one of these following actions as the Company may consider appropriate:

- (a) The Company may deem that the notification of intention to exercise the warrants is corresponding to (i) the amount of ordinary shares which shall be received according to the

rights; or (ii) the amount of ordinary shares to be received according to the payment made on such exercise that the Company actually receives as per the exercise price and exercise ratio at that time (whichever is lower); or

- (b) The Company may require holder of TAPAC-W4 to make the additional payment in full according to his/her intention to exercise within the Period for the Notification of the Intention to Exercise the Warrants. If the Company does not receive the payment in full within such period, the Company shall deem that the notification of the intention to exercise the warrants is nullified without being exercised.

In case of (a) or (b), the Company shall return the money remained from exercise of TAPAC-W4 or the money received without any interest to holder of TAPAC-W4 by registered mail within 14 days after the Exercise Date.

Please be informed accordingly

Yours truly,

(Mr.Soros Tangnaitham)  
Managing Director