



Hutchison Port Holdings Trust is a business trust constituted on 25 February 2011 under the laws of the Republic of Singapore and managed by Hutchison Port Holdings Management Pte. Limited.

EXEMPTION FROM SECTIONS 78(1) AND 83(1)(d) OF THE BUSINESS TRUSTS ACT 2004

Hutchison Port Holdings Management Pte. Limited, as trustee-manager (the “**Trustee-Manager**”) of Hutchison Port Holdings Trust (“**HPH Trust**” or the “**Trust**”) wishes to announce that the Monetary Authority of Singapore (the “**MAS**”), in exercise of its powers under Section 112(2) of the Business Trusts Act 2004 (the “**BTA**”), has granted the Trustee-Manager an exemption from complying with Sections 78(1)¹ and 83(1)(d)² of the BTA (the “**Relevant Provisions**” and the exemption from the Relevant Provisions, the “**Exemption**”), such that the documents mentioned in the Relevant Provisions and Section 79(1) of the BTA³ can be provided to the unitholders of HPH Trust (each the “**Unitholder**” and collectively, the “**Unitholders**”) electronically via publication on SGXNET and the website of HPH Trust, in lieu of the manner of service permitted under the BTA, subject to the following conditions (the “**Conditions**”) being complied with:

- (a) the trust deed (“**Trust Deed**”) of the Trust –
 - (i) provides for the service of documents by publication on a website where it may be accessed by Unitholders;
 - (ii) specifies the manner in which such service will be effected, including how the Unitholders will be notified of the publication; and
 - (iii) provides that the Unitholders may be given an opportunity to elect within a specified period of time, to receive service of such documents by way of electronic communications or as a physical copy posted to his current address;
- (b) the Trustee-Manager separately notifies Unitholders directly in writing on at least one occasion of all the following:

1 Under Section 78(1) of the BTA, the Trustee-Manager shall serve on each Unitholder a copy of every profit and loss account, balance sheet and cash flow statement of the Trust (including every document required under the BTA to be attached thereto), accompanied by a copy of the auditor's report thereon and the financial statements of the Trustee-Manager prepared in accordance with Section 201 of the Companies Act 1967 (collectively, the “**Financial Statements**”).

2 Section 83(1)(d) of the BTA requires that if the Trustee-Manager is served with a notice sent by or on behalf of at least 5% of the total number of Unitholders or the Unitholders holding in aggregate at least 5% of the total voting rights of all the Unitholders, the Trustee-Manager shall send to all the Unitholders entitled to receive notice of general meetings of the Unitholders, a copy of a statement showing particulars of all emoluments paid to the auditor or other person and of the services in respect of which the payments have been made for the financial year immediately preceding the service of the notice.

3 Section 79 of the BTA provides that the Trustee-Manager may, in cases prescribed by the MAS, send a summary financial statement of the Trust which complies with the requirements of Sections 79(4) and (5) of the BTA instead of copies of the documents referred to in Section 78 of the BTA to the Unitholders.

- (i) that the Unitholder has a right to elect, within a time specified in the notice from the Trust, whether to receive service of the following documents:
 - (A) the copies of the documents mentioned in Section 78(1), or the summary financial statement mentioned in Section 79(1) (as the case may be); and
 - (B) the copy of the statement mentioned in Section 83(1)(c),
 (each a “**Relevant Document**” and collectively, the “**Relevant Documents**”);

by way of electronic communications (in one or more means specified in the Trust Deed that the Trustee-Manager may determine), or as a physical copy posted to his current address;
 - (ii) that if the Unitholder does not make an election within the time specified in the notice, service of the Relevant Documents will be by publication on a website;
 - (iii) the manner in which service by publication on a website will be effected is the manner specified in the Trust Deed;
 - (iv) that the election is a standing election, but that the Unitholder may make a fresh election at any time; and
 - (v) until the Unitholder makes a fresh election, the election that is conveyed to the Trustee-Manager last in time prevails over all previous elections as the Unitholder's valid and subsisting election in relation to the Relevant Documents;
- (c) in the case where a Unitholder has elected for service other than by way of publication on a website, any Relevant Document which is to be sent under the Relevant Provisions to the Unitholder, is sent in the means elected;
- (d) in all other cases,
- (i) any Relevant Document which is to be sent under the Relevant Provisions to a Unitholder, is made available to the Unitholder on a website such that it is or can be made legible;
 - (ii) the Trustee-Manager informs the Unitholder as soon as practicable of how to request a physical copy of that Relevant Document from the Trust, and the Trust provides a physical copy of that Relevant Document upon such request;
 - (iii) the Trust notifies Unitholders in writing of all the following:
 - (A) the publication of the Relevant Document on the website;
 - (B) if the Relevant Document is not available on the website on the date of notification, the date on which it will be available;

- (C) the address of the website;
 - (D) the place on the website where the Relevant Document may be accessed; and
 - (E) how to access the Relevant Document; and
- (iv) where the Relevant Document is to be sent under the Relevant Provisions to the Unitholder not less than a specified number of days before a meeting,
- (A) the Relevant Document is published on and remains accessible to the Unitholder from the website throughout a period beginning before the specified number of days before the date of the meeting and ending with the conclusion of the meeting; and
 - (B) the notification given for the purpose of sub-paragraph (d)(iii) is given not less than the specified number of days before the date of the meeting; and
- (e) the Trustee-Manager discloses to the Unitholders via SGXNET the Exemption and the circumstances mentioned in paragraphs (a) to (e) under which the Exemption applies.

In addition, without limiting the MAS' powers under Section 112(3)(c) of the BTA, the Exemption will be withdrawn immediately upon the commencement of Section 49 of the Business Trusts (Amendment) Act 2022.

Accordingly, following the Exemption, the Trustee-Manager wishes to inform the Unitholders that, subject to the Conditions, the Trustee-Manager intends to provide the annual report of HPH Trust for the financial year ended 31 December 2023 and the annual report of the Trustee-Manager for the financial year ended 31 December 2023 (including the Financial Statements as well as the sustainability report of HPH Trust) to the Unitholders electronically by way of publication on SGXNET and the corporate website of HPH Trust at <https://www.hphtrust.com>.

By Order of the Board

Hutchison Port Holdings Management Pte. Limited
(Incorporated in the Republic of Singapore with limited liability)
(as trustee-manager of Hutchison Port Holdings Trust)
(Company Registration No. 201100749W)

Wong Yoen Har
Company Secretary
8 March 2024

About HPH Trust

HPH Trust is a container port business trust listed in Singapore.

HPH Trust owns interests in world class deep-water container port assets located in two of the world's busiest container port cities by throughput – Hong Kong and Shenzhen, the People's Republic of China ("**PRC**"). Other assets in the HPH Trust portfolio include the port in Huizhou, PRC, as well as certain port ancillary services and the economic benefits of river ports complementary to the deep-water container ports operated by HPH Trust.

The investment mandate of HPH Trust is principally to invest in, develop, operate and manage deep-water container ports in the Guangdong Province, Hong Kong and Macau, one of the world's largest trading hubs by throughput.