



**Cypark**

**CYPARK RESOURCES BERHAD**  
(Registration No. 200401004491 (642994-H))  
(Incorporated in Malaysia)

## **NOTICE OF EXTRAORDINARY GENERAL MEETING**

**NOTICE IS HEREBY GIVEN THAT** an Extraordinary General Meeting (“EGM”) of Cypark Resources Berhad (“CRB” or “Company”) will be held on a **virtual basis** via remote participation and voting at the broadcast venue at the Meeting Room of Securities Services (Holdings) Sdn. Bhd., Level 7, Menara Milenium, Jalan Damanlela, Pusat Bandar Damansara, Damansara Heights, 50490 Kuala Lumpur, Wilayah Persekutuan on Tuesday, 27 December 2022 at 3.30 p.m. or at any adjournment thereof, for the purpose of considering and, if thought fit, passing the following resolution, with or without modifications:

### **ORDINARY RESOLUTION**

#### **PROPOSED PLACEMENT OF UP TO 178,937,922 NEW ORDINARY SHARES IN CRB (“CRB SHARE(S)”) (“PLACEMENT SHARE(S)”) REPRESENTING UP TO 30% OF THE TOTAL NUMBER OF ISSUED SHARES OF CRB**

“**THAT** subject to the approval of all the relevant authorities, approval be and is hereby given to the Board of Directors of the Company (“**Board**” or “**Directors**”) to issue and allot up to 178,937,922 new ordinary shares in the Company (“**CRB Shares**” or “**Shares**”) (“**Placement Shares**”) to independent 3<sup>rd</sup> party investor(s), who qualify under Schedule 6 and 7 of the Capital Markets and Services Act, 2007 to be identified later in one or more tranches at an issue price for each tranche to be determined at a later date by the Board (“**Price-Fixing Date**”) upon such terms and conditions as disclosed in the circular to the shareholders of the Company (“**Shareholders**”) dated 9 December 2022 (“**Circular**”) (“**Proposed Placement**”);

**THAT** the issue price for each tranche of the Placement Shares will be determined based on a discount of not more than 10% to the 5-day volume-weighted average market price of CRB Shares up to and including the Price-Fixing Date;

**THAT** the pre-emptive right of the existing shareholders to be offered with new Shares in the Company in proportion to their respective shareholding in the Company pursuant to Section 85(1) of the Companies Act 2016 and Clause 70 of the Constitution of the Company be and is hereby waived in respect of the issuance and allotment of the Placement Shares;

**THAT** the Directors be and are hereby authorised to utilise the proceeds to be derived from the Proposed Placement for such purposes as set out in the Circular and the Board be and is hereby authorised with full power to vary the manner and/or purpose of the utilisation of such proceeds from the Proposed Placement in the manner as the Board may deem fit, necessary and/or expedient, subject (where required) to the approval of the relevant authorities and in the best interest of the Company;

**THAT** such Placement Shares shall, upon allotment and issue, rank equally in all respects with the then existing CRB Shares, save and except that the holders of the Placement Shares will not be entitled to any dividend, rights, allotments and/or any other distributions, where the entitlement date of such distributions precedes the relevant date of allotment and issuance of the Placement Shares;

**AND THAT** the Directors be and are hereby empowered and authorised to do all acts, deeds and things and to execute, sign, deliver and cause to be delivered on behalf of the Company all such documents and/or arrangements

as may be necessary to give effect and complete the Proposed Placement and to assent to any conditions, modifications, variations and/or amendments in any manner as may be required by the relevant authorities or as the Directors may deem necessary in the interest of the Company and to take such steps as they may deem necessary or expedient in order to implement, finalise, give full effect and to complete the Proposed Placement.”

By Order of the Board

**CHUA SIEW CHUAN (MAICSA 0777689)/SSM PC NO. 201908002648**  
**YEOW SZE MIN (MAICSA 7065735)/SSM PC NO. 201908003120**  
Company Secretaries

Kuala Lumpur  
9 December 2022

Notes:

- (i) *In respect of deposited securities, only members whose names appear in the Record of Depositors as at 19 December 2022 shall be eligible to attend, participate, speak and vote at the EGM.*
- (ii) *A member entitled to attend, participate, speak and vote at the meeting is entitled to appoint one (1) or more proxies to exercise all or any of his rights to attend, participate, speak and vote in his/her stead. A proxy may but need not be a member of the Company and a member may appoint any person to be his proxy without limitation. There shall be no restriction as to the qualification of the proxy. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.*

*As guided by the Securities Commission Malaysia's Guidance Note and Frequently Asked Questions on the Conduct of General Meetings for Listed Issuers and its subsequent amendments, the right to speak is not limited to verbal communication only but includes other modes of expression. Therefore, all members, proxies and/or corporate representatives shall communicate with the main/broadcast venue of the EGM via real time submission of typed texts through a text box within Securities Services e-Portal's platform during the live streaming of the EGM as the primary mode of communication. In the event of any technical glitch in this primary mode of communication, members, proxies and/or corporate representatives may email their questions to [eservices@sshbs.com.my](mailto:eservices@sshbs.com.my) during the EGM. The questions and/or remarks submitted by the members, proxies and/or corporate representatives will be broadcasted and responded by the Chairman/Director/relevant advisers during the EGM.*

*The broadcast venue, which is the main venue of the EGM is strictly for the purpose of complying with Section 327(2) of the Companies Act 2016 and Clause 79 of the Company's Constitution, which require the Chairman to be present at the main venue of the EGM. **Members, proxies and/or corporate representatives will not be allowed to be physically present at the broadcast venue on the day of the EGM.***

- (iii) *A member may appoint more than one (1) proxy in relation to the EGM, provided that the member specifies the proportion of the member's shareholdings to be represented by each proxy.*
- (iv) *Where a member of the Company is an exempt authorised nominee which holds ordinary shares in the Company for multiple beneficial owners in one securities account ("**omnibus account**"), there is no limit to the number of proxies which the exempt authorised nominee may appoint in respect of each omnibus account it holds. An exempt authorised nominee refers to an authorised nominee defined under Securities Industry (Central Depositories) Act, 1991 ("**SICDA**") which is exempted from compliance with the provisions of subsection 25A(1) of SICDA.*
- (v) *The instrument appointing a proxy shall be in writing under the hand of the member/appointor or his/her attorney duly authorised in writing or, if the appointor is a corporation, either under its Common Seal or under the hand of an officer or attorney duly authorised in writing.*
- (vi) *The instrument appointing a proxy and the power of attorney or other authority (if any), under which it is signed or a duly notarised certified copy of that power or authority, shall be deposited at the registered office of the Company at Level 7, Menara Milenium, Jalan Damanlela, Pusat Bandar Damansara, Damansara Heights, 50490 Kuala Lumpur, Wilayah Persekutuan or submitted via fax at 03-2094 9940 and/or 03-2095 0292 or emailed to [info@sshbs.com.my](mailto:info@sshbs.com.my), not less than forty-eight (48) hours before the time for holding the EGM or any adjournment thereof. The proxy appointment may also be lodged electronically via Securities Services e-Portal at <https://sshbs.net.my/>. The lodging of the Form of Proxy will not preclude any member from participating and voting remotely at the EGM should any member subsequently wishes to do so, provided a notice of termination of proxy authority in writing is given to the Company and deposited at the registered office of CRB at Level 7, Menara Milenium, Jalan Damanlela, Damansara Heights, 50490 Kuala Lumpur not less than twenty-four (24) hours before the time stipulated for holding the EGM or any adjournment thereof. Please contact the poll administrator, SS E*

*Solutions Sdn. Bhd., at 03-2084 9000 for further assistance. The resolution set out in this notice of meeting is to be voted by poll.*

*Should any member wish to participate at the EGM remotely, please register electronically via Securities Services e-Portal at <https://sshsb.net.my/> by the registration cut-off date and time.*

*Please refer to the Administrative Guide on the Conduct of a Virtual General Meeting available for download at [https://cypark.listedcompany.com/misc/egm/cypark\\_administrative\\_guide\\_for\\_egm.pdf](https://cypark.listedcompany.com/misc/egm/cypark_administrative_guide_for_egm.pdf) for further details.*

**Personal Data Privacy:**

*By submitting an instrument appointing a proxy(ies) and/or representative(s) to attend, participate, speak and vote at the EGM and/or any adjournment thereof, a member of the Company (i) consents to the collection, use and disclosure of the member's personal data by the Company (or its agents) for the purpose of the processing and administration by the Company (or its agents) of proxies and representatives appointed for the EGM (including any adjournment thereof) and the preparation and compilation of the attendance lists, minutes and other documents relating to the EGM (including any adjournment thereof), and in order for the Company (or its agents) to comply with any applicable laws, listing rules, regulations and/or guidelines (collectively, the "**Purposes**"), (ii) warrants that where the member discloses the personal data of the member's proxy(ies) and/or representative(s) to the Company (or its agents), the member has obtained the prior consent of such proxy(ies) and/or representative(s) for the collection, use and disclosure by the Company (or its agents) of the personal data of such proxy(ies) and/or representative(s) for the Purposes, and (iii) agrees that the member will indemnify the Company in respect of any penalties, liabilities, claims, demands, losses and damages as a result of the member's breach of warranty.*