

Declaration Form



Mackay Sugar Limited (**Mackay Sugar** or **Company**)

This form must be completed by the Purchaser/Transferee of ordinary shares in Mackay Sugar Limited and must be submitted with a completed Share Transfer form in order for that Share Transfer form to be considered by the Company.

If the Transferee of the Shares is:

- the Controlling Member of Mackay Sugar; or
- between the existing registered owners (via a share split),

you do not need to complete this declaration.

_____ Name	_____ ACN/ABN (if applicable)
_____ Address	
_____ Telephone (Home)	_____ Mobile
_____ Fax Number	_____ Email Address

Are you a 'Grower' as that term is defined in the Constitution?
(Please tick whichever is applicable)

- Yes** – Please see the Note below and complete the *Grower Declaration*
- No** – Please complete the *Non-Grower Declaration*

NOTE: The 'Grower' must be the party listed as the Purchaser/Transferor on the Share Transfer form. If a person or entity related to a 'Grower' is the Purchaser/Transferor, e.g. a director of a Company which is a Grower, they are considered a Non-Grower for the purposes of the Constitution and must complete the Non-Grower Declaration.

Grower Declaration



I/We declare as follows:

I/We declare that I am/we are a 'Grower' as that term is defined in the Constitution of Mackay Sugar Limited because I/we will sell and deliver at least 1,500 tonnes of sugar cane to the Company per season under a current Cane Supply and Processing Agreement.

I am/we are purchasing the Shares listed in the attached Share Transfer form as a result of: (Please tick whichever is applicable)

- checkbox A sale process which was not conducted as a result of the Shares being listed on the Share Transfer Facility operated by the Company via the Company's website.
checkbox The listing of the Shares on the Share Transfer Facility operated by the Company via the Company's website.

I/we acknowledge that I am/we are aware that if the Shares are transferred to me/us in contravention of the rules of the Constitution of Mackay Sugar, the Shares will be deemed to be a Prohibited Shareholding Interest and I/we will be required to dispose of those Shares in accordance with the Constitution.

PLEASE SIGN HERE > ALL SHAREHOLDERS MUST SIGN

SIGNED BY

DATE

WITNESSED BY (IF INDIVIDUAL)

Non-Grower Declaration

I/We declare as follows:

I am/we are purchasing the Shares listed in the attached Share Transfer following the listing of the Shares on the Share Trading Facility operated by the Company on the Company's website. The Purchase Price for the Shares listed in the Share Transfer is not less than the amount which was listed on the Share Trading Facility and the consideration for the Shares does not include any non-monetary consideration or other ancillary arrangements outside of the terms of the Transfer Notice.

I/we acknowledge that I am/we are aware that if the Shares are transferred to me/us in contravention of the rules of the Constitution of Mackay Sugar, the Shares will be deemed to be a Prohibited Shareholding Interest and I/we will be required to dispose of those Shares in accordance with the Constitution.

PLEASE SIGN HERE > ALL SHAREHOLDERS MUST SIGN

SIGNED BY

DATE

WITNESSED BY (IF INDIVIDUAL)