TRANSNET NATIONAL PORTS AUTHORITY, a division of TRANSNET SOC LTD

Invitation to Prospective New Market Participants

EXPRESSION OF INTEREST FOR INCLUSION INTO THE DATABASE TO ENABLE A SUBSEQUENT APPLICATION PROCESS FOR ACCESS TO SPECIFIC DEDICATED STORAGE CAPACITY WHICH WILL BE MADE AVAILABLE TO NEW MARKET PARTICIPANTS IN TERMS OF THE THIRD-PARTY ACCESS FRAMEWORK AT THE ISLAND VIEW PRECINCT IN THE PORT OF DURBAN

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Contents

1 Disclaimer 3

2 Definitions and Interpretation 5

3 Introduction 12

4 Background 12

5 Port Of Durban– Overview 14

6 Port Precincts 15

7 Third Party Access Framework 17

8 Intended Respondents 17

9 Capacity Allocation Mechanism 18

10 New Market Participants Database 19

11 Application Procedures 19

12 Invitation To Prospective NMPs To Express Interest in Specific Dedicated Capacity 20

13 Formal Application and Supporting Information 21

14 Submission and Recording of Expression of Interest 23

15 Communication Relating to the Expression of Interest 25

16 Formal Briefing 25

17 Requests for Clarifications 26

18 Response Submission 26

19 Confidentiality 28

20 Corrupt Gifts and Fraud 28

21 ANNEXURE A — EXPRESSION OF INTEREST (EOI) FORM 29

22 ANNEXURE B-NEW MARKET PARTICIPANTS ELIGIBILITY CHECKLIST 32

1 Disclaimer

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on the content of, or any omission from, this Document of any nature whatsoever.

1.7 Nothing contained in this EOI shall be interpreted as amending, replacing or overriding the Ministerial Directive, the Third-Party Access Framework, any applicable legislation or regulatory requirements applicable at the date of issue of this EOI. In the event of any inconsistency, the applicable legislation, Ministerial Directives and Framework shall prevail.

2 Definitions and Interpretation

In this EOI, except as otherwise defined herein, the following terms shall have the following meanings:

2.1 "**Affiliate**" means any entity that directly or indirectly Controls, is Controlled by, or is under common Control with, another entity;

2.2 "**Capacity Allocation Mechanism**" means the mechanism adopted by a Designated Terminal Operator or CEF for the allocation of the Specific Designated Capacity to New Market Participants, including the criteria, application process, prioritisation rules and other allocation procedures applicable at the Terminal or in respect of the CEF New Market Participants Capacity, as approved by TNPA in terms of paragraph 6.2 of the Framework;

2.3 "**CEF**" means the Central Energy Fund SOC Ltd, a state-owned company established in terms of the Central Energy Fund Act 38 of 1977 and a public entity listed in Schedule 2 to the Public Finance Management Act, 1999;

2.4 "**CEF Allocated Capacity**" means the Storage Capacity to be allocated to CEF by "Paragraph 5 Operators" pursuant to the provisions of paragraph 5.2 of the Ministerial Directive, being:

2.4.1 fifteen percent (15%) of the Storage Capacity of the Terminals belonging to the Paragraph 5 Operators, in year one (1) of the coming into effect of the relevant Terminal Operator Agreement/s;

2.4.2 twenty percent (20%) of the Storage Capacity of the Terminals belonging to the Paragraph five (5) Operators, in years six (6) to ten (10) of the coming into effect of the relevant Terminal Operator Agreement/s; and

2.4.3 thirty percent (30%) of the Storage Capacity of the Terminals belonging to the Paragraph five (5) Operators in years eleven (11) to twenty-five (25) of the coming into effect of the relevant Terminal Operator Agreement/s;

2.5 **"CEF Allocated Capacity Agreement"** means an agreement to be concluded between TNPA, the Paragraph 5 Operator/ Designated Terminal Operators

and/or CEF in order to give effect to the provisions of paragraph 5 of the Ministerial Directive and paragraph 3.2 of the Supplementary Ministerial Directive relating to the CEF Allocated Capacity and the CEF New Market Participants Capacity, respectively;

2.6 "**CEF New Market Participants Capacity**" means five percent (5%) of the CEF Allocated Capacity (being an effective zero-point seventy five percent (0.75%) of the Storage Capacity of the Terminals belonging to the Paragraph 5 Operators) that CEF is required to ringfence and allocate to New Market Participants for the duration of the CEF Allocated Capacity Agreement in terms of the Supplementary Ministerial Directive;

2.7 " **Chemicals Terminal Operator**" means a Terminal Operator to the extent that it stores and/or handles chemical products and lubricants;

2.8 "**Control**" has the meaning ascribed to it in terms of section 2(2) of the Companies Act 71 of 2008 (as amended), and "Controlling" or "Controlled" shall have a corresponding meaning;

2.9 **"Day"** means a calendar day other than a Saturday, Sunday or public holiday in the Republic;

2.10 **"Designated Terminal Operators"** means the terminal operators as listed in paragraphs 1 of the Ministerial Directive Engen Petroleum (Pty) Ltd, Sasol Oil Limited (as a member of a joint venture with TotalEnergies, referred to as NATCOS), Shell and BP South African Petroleum Refineries (Pty) Ltd, TotalEnergies Marketing South Africa (Pty) Ltd, and Vopak Terminal Durban (Pty) Ltd; excluding CEF, Astron Energy (Pty) Ltd and Chemoleo (Pty) Ltd) who are signatories to the Framework and have been granted rights to operate in terms of a Terminal Operator Agreement concluded with TNPA; and "**Designated Terminal Operator**" shall refer to each one of them, as the context may indicate;

2.11 "**Expression of Interest**" means this non-binding preliminary expression of interest in respect of inclusion into the database to enable application for access to the Specific Dedicated Capacity of any Designated Terminal Operator or CEF

submitted by a New Market Participant to the relevant Designated Terminal Operator or CEF, as the case may be, and the abbreviation **EOI** shall bear the same meaning;

2.12 "**EOI Response"** means the completed Response Form, together with all necessary supporting documentation; and

2.13 "**Framework**" means the Third-Party Access Framework developed by TNPA, in consultation with the Designated Terminal Operators and CEF, pursuant to the provisions of the Ministerial Directive and the Supplementary Ministerial Directive for, *inter alia*, the provision to New Market Participants by: -

2.13.1 the Designated Terminal Operators of the Specific Dedicated Capacity; and

2.13.2 CEF of the CEF New Market Participants Capacity;

2.14 **"IVP"** refers to the Island View Precinct, located at the Port of Durban;

2.15 "**IVP Capacity Bulletin**" means the public notice/report issued and published by TNPA on its website, which provides a consolidated statement of availability and allocations of Specific Dedicated Capacity within the IVP, which shall not disclose confidential information of any Designated Terminal Operator or any third party or information that may give rise to contravention of competition laws by the Designated Terminal Operators or CEF;

2.16 "**Laws**" means all applicable statutes, the Constitution of the Republic of South Africa Act of 1996, the common law, statutory instruments, by-laws, regulations, orders, rules, directives, judicial decisions, judgements of any competent court, executive orders and other secondary, provincial or local legislation, and codes of practice having the force of law in Republic of South Africa including the rules and regulations made in terms section 80(1) of the Ports Act, and "**Law**" shall have a corresponding meaning;

2.17 "**Minister**" means the Minister of Transport or any person officially authorized by them to perform statutory duties or exercise powers prescribed in terms of the Ports Act or any other relevant Law;

2.18 "**Ministerial Directive**" means the directive issued by the Minister in terms of section 79(1) of the Ports Act on 28 August 2025, *inter alia*, directing TNPA to

conclude Terminal Operator Agreements with each of the Designated Terminal Operators which shall include a provision requiring TNPA and the Designated Terminal Operators to establish the Framework, and, unless the context otherwise indicates, includes the Supplementary Ministerial Directive;

2.19 "**NERSA**" means the National Energy Regulator established in terms of the National Energy Regulator Act of 2004, as the official regulatory authority that oversees the energy industries in the Republic;

2.20 "**New Market Participant**" means an entity or a person that is not a Designated Terminal Operator or an Affiliate of a Designated Terminal Operator or of CEF, that seeks access to the Specific Dedicated Capacity and that, as determined by TNPA and included in the New Market Participants Database:

2.20.1 does not own, lease, utilise or otherwise have access to any Storage Capacity of a Terminal within the IVP, whether directly or through an Affiliate;

2.20.2 where applicable, holds the necessary regulatory licence required to trade, import or supply the Product/s in respect of which it seeks access to the Specific Dedicated Capacity;

2.20.3 demonstrates credible upstream supply arrangements, including access to sourcing of and funding for the importation of the Product/s in respect of which it seeks access to the Specific Dedicated Capacity;

2.20.4 demonstrates credible downstream market access, including off take arrangements or other evidence of the ability to place the Product/s in respect of which it seeks access to the Specific Dedicated Capacity, into the downstream market; and

2.20.5 once access to Specific Dedicated Capacity is granted in terms of the framework, has a cumulative period of not more than five (5) years, reckoned from the effective date of the relevant Third-Party Access Agreement of having such access;

2.21 "**New Market Participants Database**" means a database of New Market Participants eligible to apply for access to Specific Dedicated Capacity from the

Designated Terminal Operators or CEF, to be prepared, maintained and published by TNPA in terms of the Framework;

2.22 "**Operator Trading Terms**" mean the operating procedures, terms and conditions utilised by a Designated Terminal Operator or CEF (as applicable) for the granting of access to Storage Capacity in respect of their Terminal including manuals, rules, standard operating procedures and general terms and conditions;

2.23 "**Paragraph 5 Operators**" mean the Designated Terminal Operators specified in paragraph 5 of the Ministerial Directive and paragraph 3.1 of the Supplementary Directive, being Engen Petroleum (Pty) Ltd, Sasol Oil Limited (as a member of a joint venture with TotalEnergies, referred to as NATCOS), Shell and BP South African Petroleum Refineries (Pty) Ltd, TotalEnergies Marketing South Africa (Pty) Ltd, and Vopak Terminal Durban (Pty) Ltd;

2.24 "**Petroleum Pipelines Act**" means the Petroleum Pipelines Act 60 of 2003, including any regulations issued thereunder;

2.25 "**Petroleum Products**" means any liquid petroleum fuel and any lubricant, whether used or unused, and includes any other substance which will be used for a purpose for which petroleum fuel or any lubricant may be used;

2.26 "**Port**" means the Port of Durban, as promulgated in terms of the Ports Act, and situated at Durban, in the province of KwaZulu-Natal of the Republic;

2.27 "**Ports Act**" means the National Ports Act 12 of 2005, as amended and including the port rules and regulations issued under it;

2.28 "**Products**" means the petroleum products, chemical products and any other liquid bulk products handled, stored, or transferred through cargo handling facilities within the IVP;

2.29 "**Republic**" means the Republic of South Africa;

2.30 **"Respondent"** - any entity or company that submits an EOI Response in accordance with this EOI;

2.31 "**Specific Dedicated Capacity**" means:

2.31.1 in respect of the Designated Terminal Operators, ten percent (10%) of the Storage Capacity that is required to be dedicated and ring-fenced by the relevant Designated Terminal Operator at its Terminal pursuant to paragraph 4.5 of the Ministerial Directive read with paragraph 3.1 of the Supplementary Ministerial Directive, for access by and allocation to New Market Participants for the duration of the relevant Terminal Operator Agreement, in terms of the Framework and the relevant Terminal Operator Agreement; and

2.31.2 in respect of CEF, the CEF New Market Participants Capacity;

2.32 "**Storage Capacity**" means the usable capacity of a Terminal available for the Throughput and/or storage of Products, as the case may be, at a given time;

2.33 "**Supplementary Ministerial Directive**" means the supplementary directive issued by the Minister in terms of section 79(1) of the Ports Act on 12 May 2026, supplementing the Ministerial Directive and, inter alia, directing TNPA to ensure that the Terminal Operator Agreements concluded with the Paragraph 5 Operators include a provision that that the Paragraph 5 Operators shall ring-fence ten percent (10%) of dedicated capacity for New Market Participants in addition to the CEF Allocated Capacity;

2.34 "**Terminal**" means a port terminal, as defined in section 1 of the Ports Act, operated by a Designated Terminal Operator in terms of the relevant Terminal Operator Agreement, or in respect of which CEF holds the CEF Allocated Capacity;

2.35 "**Terminal Capacity Registry**" means the centralised, TNPA-administered digital platform established for the real-time recording, publication and monitoring of availability and allocation of Specific Dedicated Capacity in the Terminal/s for purposes of ensuring and promoting transparency, coordination and visibility thereof;

2.36 "**Terminal Operator Agreement**" means the concession agreement contemplated in section 56 of the Ports Act concluded between TNPA and each

of the Designated Terminal Operator pursuant to the Ministerial Directive, to which the framework is an annexure and "**Terminal Operator Agreements**" shall refer to the plural thereof;

2.37 "**Third-Party Access Agreement**" means the agreement entered into between:

2.37.1 a Designated Terminal Operator and a New Market Participant containing the terms and conditions of the allocation by a Designated Terminal Operator of, and access by a New Market Participant, to the Specific Dedicated Capacity of the relevant Terminal in terms of the Framework; or

2.37.2 CEF and a New Market Participant containing the terms and conditions of the allocation by CEF of, and access by a New Market Participant to, the CEF New Market Participants Capacity in terms of the Framework;

2.38 "**Throughput**" means the throughput in terms of the maximum rate of transfer, loading/unloading capability, and pipeline flow rates of Products;

2.39 "**Throughput Capacity**" means the maximum volume of Product that a Terminal's handling infrastructure including berths, loading arms, pipelines, pumping systems, road and rail gantries, and associated equipment, is capable of transferring over a defined period of time (hourly, daily, or monthly), as determined by the Terminal's engineering design parameters, operating conditions, safety limits, and where applicable, licence conditions;

2.40 "**TNPA**" means Transnet National Ports Authority, a division of Transnet SOC Ltd, established in terms of the Ports Act;

2.41 "**Uncommitted Capacity**" shall have a meaning as defined in the Petroleum Pipelines Act;

3 Introduction

3.1 Purpose of this Expression of Interest

3.1.1 TNPA, in its capacity as the Ports Authority established in terms of the National Ports Act of 2005 (Act No. 12 of 2005), is implementing the Framework to facilitate third-party access to liquid bulk storage and handling infrastructure capacity within the Island View Precinct (IVP) of the Port of Durban.

3.1.2 This Expression of Interest (EOI) is issued to identify and assess qualifying New Market Participants (NMPs) who seek access to storage capacity and associated infrastructure designated for third-party access within the IVP. The EOI process is intended to establish market interest, verify eligibility and gather information required to support a fair, transparent and non-discriminatory capacity allocation process.

3.1.3 The EOI does not constitute an invitation to tender, request for proposal, or any commitment by TNPA to allocate capacity, enter into contractual arrangements, or grant rights of access.

3.1.4 Participation in this process is voluntary and is intended solely to facilitate the inclusion into the database to enable application for access into the available capacity as part of the implementation of the approved Framework.

4 Background

4.1 In terms of section 79 of the Ports Act, the Minister is empowered to direct TNPA to perform a specific act or not to perform a specific act if that act will be necessary;

4.1.1 to safeguard the national security of the Republic;

4.1.2 to promote the national, strategic or economic interests of the Republic; or

4.1.3 to discharge an international obligation of the Republic.

4.1.4 On 28 August 2025, the Minister acting in terms of section 79, issued the

Ministerial Directive to TNPA to grant the Designated Terminal Operators the rights to operate liquid bulk terminals within the IVP, to promote the national, strategic or economic interests of South Africa, and further conditions determined between the Designated Terminal Operators, Central Energy Fund (CEF) and TNPA as part of the conclusion of the Terminal Operator Agreements TOAs).

4.2 The directive requires TNPA to, inter alia, conclude TOAs with specified Designated Terminal Operators in the IVP, with a condition requiring CEF, TNPA and the operators to establish a framework governing third-party access to storage capacity by New Market Participants in the IVP.

4.3 The framework governing third-party access to storage capacity was accordingly developed, negotiated and concluded between the Designated Terminal Operators and TNPA on 31 May 2026, which defines the criteria for entities to be eligible to access storage capacity made available by the Designated Terminal Operators in terms of the directive as Phase 1 of the IVP Strategy.

4.4 On 12 May 2026, the Minister issued a supplementary directive (the supplementary directive), which requires the Designated Terminal Operators to ring-fence specific dedicated capacity of ten percent (10%) of their terminal storage capacity for New Market Participants, subject to applicable Laws and commercial arrangements.

4.5 In terms of the supplementary directive, CEF is required to ringfence and allocate five percent (5%) of the CEF Allocated Capacity received from the Designated Terminal Operators, being an effective zero-point seventy five percent (0.75%) of the Storage Capacity of the Terminals to New Market Participants, for the duration of the CEF Allocated Capacity Agreement.

4.6 Pursuant to the Ministerial Directive and the implementation of the Framework, this EOI is issued to identify and invite prospective New Market Participants seeking access to storage capacity at IVP to express their interest for inclusion into the database to enable application for access made available under the Framework and to provide information necessary to facilitate their participation

in the Terminal Capacity Registry developed by TNPA.

5 Port Of Durban– Overview

5.1 The Port is located on the east coast of the southern region of the KwaZulu-Natal Province, and is well positioned along the major transport routes of the province with access to regional rail and air transport and boasts the following attractive features:

5.1.1 it is the most urbanized administrative region in the province, within the central business district of the eThekwini Metropolitan Municipality;

5.1.2 at the nexus of primary transport routes such as the N2 and N3, the Port has access to major regional and local distributor roads, and access to the hinterland, especially Gauteng;

5.1.3 adjacent to key economic activity areas such as the primary business and industrial nodes of the central business district and South Durban Basin, and optimally positioned to access several local labour market sources areas such as Glenwood, Umbilo and Bluff;

5.1.4 strategically located within a national, regional, and local context, and is optimally positioned to service the Southern African community as an import and export location.

6 Port Precincts



Figure 1:Durban Port Precincts

6.1 The Port consists of five (5) precincts that primarily focus on different cargo handling operations, namely:

6.1.1 the Point and Recreational precinct focus primarily on automotive cargo and cruise terminal operations;

6.1.2 the Maydon Wharf precinct is a multi-functional precinct primarily focusing on break bulk and dry bulk;

6.1.3 the Durban Container Terminal precinct focuses on container handling;

6.1.4 the Bayhead precinct focuses on maritime repair operations and logistics, and

6.1.5 the Island View precinct is primarily focused on liquid bulk and, to a limited extent, dry bulk.

6.2 The IVP is the subject of this EOI and the Framework. The Framework governs access by New Markets Participants to the capacity made available by the Designated Terminal Operators and CEF in accordance with the Ministerial Directive. Figure 2 below shows the Island View precinct:



Figure 2:Island View Precinct

6.3 The liquid bulk terminals in IVP conduct the following activities in the precinct:

6.3.1 Import, storage, distribution of fuel and fuel products, chemicals, and edible oils; and

6.3.2 Blending, drumming (or packaging), manufacturing of oils, lubricants, greases, and other chemicals.

6.3.3 The IVP consists of ten (10) berths and operates on a 24-hour basis. Vessels call at common-user berths to off-load liquid bulk products, which are pumped to and stored in tanks within the precinct. Distribution from storage tanks takes place via pipeline, road, and rail tankers.

7 Third Party Access Framework

7.1 The Framework governs access to Specific Dedicated Capacity made available under the Ministerial Directive and operates within the applicable legislative and regulatory framework.

7.2 The Framework does not extend to Uncommitted Capacity, which remains regulated by NERSA under the Petroleum Pipelines Act. It also excludes liquid bulk terminals situated outside the IVP, thereby limiting the scope of application to Designated Terminal Operators who have concluded Terminal Operator Agreements in terms of the Ministerial Directive.

7.3 In respect of the Central Energy Fund (CEF), the Framework applies only to the CEF New Market Participants Capacity. This ensures that a defined portion of CEF's Allocated Capacity is ring-fenced for New Market Participants, while the remainder of CEF's Allocated Capacity remains outside the scope of the Framework.

8 Intended Respondents

8.1 This EOI is directed at qualifying New Market Participants, including importers, exporters, traders, distributors, manufacturers, marketers and other industry participants that do not currently enjoy material ownership, control or preferential access to liquid bulk storage and handling infrastructure capacity within the IVP and that meet the eligibility requirements set out in this EOI.

8.2 To qualify for inclusion in the New Market Participants Database and be eligible to apply for access to Specific Dedicated Capacity, a Respondent must satisfy the criteria stated in the definition of New Market Participant in this EOI, as well as the requirement stipulated in paragraph 8.3 below.

8.3 The Respondent to this EOI:

8.3.1 must not be a Designated Terminal Operator within the Island View Precinct;

8.3.2 must not be an Affiliate with a contract of two (2) years or more with a Designated Terminal Operator within the Island View Precinct;

8.3.3 does not currently own storage capacity within the Island View Precinct;

8.3.4 does not currently lease storage capacity within the Island View Precinct; and

8.3.5 does not currently utilise storage capacity within the Island View Precinct;

9 Capacity Allocation Mechanism

9.1 Each Designated Terminal Operator and CEF have developed a Capacity Allocation Mechanism for the allocation of the capacity made available to New Market Participants. This Capacity Allocation Mechanism was submitted to TNPA for approval to ensure consistency with the Framework, Ministerial Directive, and applicable Laws. The Capacity Allocation Mechanism will be published and made accessible to potential New Market Participants.

9.2 The Capacity Allocation Mechanism includes key elements such as applicable tariff arrangements, contractual terms and conditions (aligned with Operator Trading Terms), technical requirements for terminal access, and a transparent application process. It will also outline priority rules and capacity allocation procedures, ensuring clarity for applicants.

9.3 Allocation decisions will be guided by principles of commercial reasonableness, operational feasibility, and non-discrimination. Applications for access will be processed on a first-come-first-served basis, subject to operational constraints such as berth planning, safety requirements, and TNPA policies. Access will be granted only where technically feasible, and applicants will be required to enter into commercial arrangements with the Designated Terminal Operators and accept Operator Trading Terms.

9.4 To prevent hoarding and ensure fair access, allocated capacity that is not utilised may be withdrawn and reallocated. This rule enforces efficient use of capacity and ensures availability for other qualifying New Market Participants.

10 New Market Participants Database

10.1 TNPA will establish, maintain, and update a database of eligible New Market Participants. The database will be published on TNPA's website and in the IVP Capacity Bulletin as per paragraph 7.10 of the Framework.

10.2 For purposes of qualifying for inclusion in the New Market Participants Database, TNPA will take into account ownership and control by historically disadvantaged individuals, in accordance with the eligibility requirements in the Framework.

10.3 Being listed in the New Market Participants Database does not guarantee allocation of Specific Dedicated Capacity. Applicants must still comply with Operator Trading Terms, including technical, operational, safety, financial, and commercial requirements.

10.4 TNPA may remove or suspend a Respondent from the database if it no longer meets the eligibility criteria, provide false or incomplete information, or have their Third-Party Access Agreement terminated by the Designated Terminal Operator due to improper conduct or breach. Eligibility shall cease after a five (5) year access period as defined in the Framework.

10.5 The Designated Terminal Operators and CEF may only accept applications from Respondents listed in the New Market Participants Database, and the Designated Terminal Operators shall remain responsible for vetting compliance with Operator Trading Terms.

11 Application Procedures

11.1 The EOI constitutes a non-binding pre-application step intended to facilitate engagement with prospective New Market Participants for inclusion into the NMPs database prior to submission of a formal application for access to storage capacity.

11.2 In responding to this EOI, Respondents must submit their identity, business profile (including, where applicable, details relating to their status as a New Market Participant) including the following:

11.2.1 product type in respect of which capacity is required,

11.2.2 required storage capacity in measurements,

11.2.3 desired commencement date and duration, and

11.2.4 any specific operational requirements (e.g., heating, dedicated tanks or throughput rates).

11.3 Respondents must also comply with minimum requirements stipulated in Annexure B (New Market Participant Eligibility Checklist) of the Framework.

12 Invitation To Prospective NMPs To Express Interest in Specific Dedicated Capacity

12.1 Expression of Interest

12.1.1 This EOI invites prospective New Market Participants to express an interest for inclusion into the database to enable application for access to Specific Dedicated Capacity made available in accordance with the Ministerial Directive and the Framework.

12.1.2 Submission of an EOI constitutes a non-binding preliminary step and does not constitute an application for, allocation of, or entitlement to Specific Dedicated Capacity.

12.1.3 Prospective New Market Participants whose EOI's are assessed and considered eligible by meeting the definition as stipulated in this EOI will be added into the database and be eligible to submit a formal application in accordance with the Framework and the applicable Capacity Allocation Mechanism.

12.2 Objectives of the Expression of Interest

12.2.1 The objectives of this EOI are to:

12.2.1.1 Identify prospective New Market Participants seeking access to Specific Dedicated Capacity within the IVP from the Designated Terminal Operators and CEF (as applicable);

12.2.1.2 Provide visibility of market demand for Specific Dedicated Capacity, including the products, volumes, duration and

operational requirements of prospective New Market Participants;

12.2.1.3 Obtain sufficient preliminary information to enable the relevant Designated Terminal Operator to undertake the preliminary feasibility assessment as contemplated in the Framework;

12.2.1.4 Facilitate the progression of prospective New Market Participants, where the EOI appears feasible, to the formal application process as contemplated in the Framework; and

12.2.1.5 Support transparency, oversight and monitoring of access to Specific Dedicated Capacity in accordance with the Framework and the Ministerial Directive.

13 Formal Application and Supporting Information

13.1 Where the EOI responses are assessed to be feasible, the Respondent will be informed of their NMP status and will be invited to proceed by submitting a formal application to the relevant Designated Terminal Operator, with TNPA and NERSA copied, in accordance with the Framework and the applicable Capacity Allocation Mechanism. The formal application shall include:

13.1.1 all documentation or information required by the Designated Terminal Operator or CEF (as applicable) in connection with the Respondent's corporate details and proof of legal status including details of any directors, shareholders or ultimate parent company. Without limitation of the aforesaid, the Respondent must be a juristic person lawfully registered in the Republic, or a foreign entity authorised to operate within the Republic in terms of the relevant Laws;

13.1.2 confirmation of the applicant's willingness to comply with the applicable Terminal Operator trading terms and access requirements. All documentation or information required in connection with the know your client (KYC) requirements of the Designated Terminal Operator or CEF (as applicable);

13.1.3 all documentation or information required in connection with credit checks to be conducted by the Designated Terminal Operator or CEF (as applicable);

13.1.4 proof of all relevant consents or agreements (including, where applicable, wholesale licensing for petroleum products, supply/off take arrangements or such equivalent regulatory or commercial credentials as may reasonably demonstrate capability and market participation);

13.1.5 requested volume, product type, duration and operational requirements (including any technical and/or operational details as may be requested by the Designated Terminal Operator or CEF);

13.1.6 relevant regulatory compliance documentation (including regulatory, licensing, safety, environmental and quality documentation, and financial guarantees where required to be provided by the applicant); and

13.1.7 such other requirements that need to be complied with in relation to the relevant Terminal.

13.2 Only those New Market Participants considered to be eligible by meeting the NMP definition as stipulated in this EOI may submit a formal application in accordance with the Framework and the applicable Capacity Allocation Mechanism.

13.3 The complete formal application and supporting documentation must be submitted to the relevant Designated Terminal Operator or CEF, as the case may be, with TNPA and NERSA copied in the application for oversight purpose in line with the Framework.

13.4 The formal application must also include a signed confidentiality undertaking (if requested by the Designated Terminal Operator or CEF) to enable exchange of any sensitive technical data during negotiations.

13.5 A sample form and a checklist are provided in **Annexure A** and **B** respectively, for the inclusion into the NMP database.

13.6 Respondents must note that a link to an editable version of **Annexure A** will be provided by TNPA to enable interested parties to capture their information for TNPA to assess their NMP status for inclusion into the database.

13.7 Only the NMP's within the database will be eligible to submit a formal application for capacity allocation. A Designated Terminal Operator may require additional Terminal specific information where reasonably necessary, provided that such requirements are consistent with the Framework, the Ministerial Directive and the applicable Capacity Allocation Mechanism.

14 Submission and Recording of Expression of Interest

14.1 Submission of EOI Responses:

14.1.1 EOI Responses must be uploaded timeously onto the system: TNPAetenders.azurewebsites.net which will be administered by TNPA, by no later than 16h00 on [29 January 2027].

14.1.2 Pending the implementation of the Terminal Capacity Registry which will be formally launched by TNPA, NMPs are required to submit their interest by responding to this EOI process.

14.1.3 Only NMPs who have been considered eligible and included into the database may utilize the Terminal Capacity Registry for a formal application to the relevant Designated Terminal Operators or CEF, as the case may be.

14.1.4 EOI Responses received after the closing date and time (as specified in paragraph 14.1.1) will not be considered as part of this EOI process.

14.1.5 All costs incurred by a Respondent in preparing and submitting an EOI Response will be borne by the Respondent.

14.1.6 No fee is payable for the submission of an EOI Response.

14.1.7 This EOI document can be accessed through the National Treasury e-tenders platform and also available on the official Transnet website which is https://www.transnet.net/.

14.2 **Language of the EOI Response**

14.2.1 The EOI Response and all supporting documentation submitted must be in English and Respondents must ensure that responses are uploaded timeously onto the system (TNPAetenders.azurewebsites.net).

14.2.2 Where any supporting documentation is in a language other than English, it must be accompanied by an English translation prepared by an accredited translator.

14.2.3 For purposes of considering the EOI Response, TNPA and the relevant Designated Terminal Operator will rely on the English version or translation submitted.

14.2.4 All formal communications relating to this EOI process shall be conducted in English.

14.3 **Authorisation to Submit an EOI Response**

14.3.1 EOI response must be submitted by a duly authorised representative of the Respondent.

14.3.2 The Respondent must provide such confirmation or evidence of the representative's authority as may be required for inclusion into the NMP database.

14.4 **Further Information**

14.4.1 TNPA and/or the relevant Designated Terminal Operator may request a Respondent to provide clarification or additional information reasonably required in relation to its EOI Response for purposes of administering the EOI process or undertaking the preliminary feasibility assessment contemplated in the Framework.

14.4.2 Any clarification or additional information provided by a Respondent will form part of its EOI Response and will be recorded and included in the NMPs database.

14.4.3 Following the submission of an EOI Response, a Respondent may be requested to participate in engagements with TNPA, the relevant Designated Terminal Operator or CEF and, where appropriate, other relevant stakeholders in relation to matters arising from its EOI Response.

14.4.4 A request for clarification, additional information or engagement does not constitute confirmation for inclusion into the NMP database, however, when inclusion into the database has been confirmed, the NMPs may submit a formal application for allocation of Specific Dedicated Capacity with the relevant Designated Terminal Operator or CEF, as the case may be.

15 Communication Relating to the Expression of Interest

15.1 The Respondent must give the name and contact details of the person whom it appoints to undertake all contact with the Project Officer in its EOI Response; and

15.2 After the submission of its EOI Response, the Respondent may only communicate with TNPA through the nominated contact person and TNPA shall be entitled, at its sole discretion, to disregard any communication from the Respondent, which does not come from such contact person. TNPA shall be entitled, at its sole discretion, to disregard any communication that does not go directly to the Project Officer.

16 Formal Briefing

16.1 A non-compulsory briefing session meeting will be conducted via Microsoft Teams on 30 November 2026 @ 10h00. Interested parties are encouraged to attend the meeting and will be able to join by using the following link: https://teams.microsoft.com/meet/3659970621954772?p=3j5M2dnCTN2DdvoyCR.

Or enter the following meeting details:

Meeting ID: 365 997 062 195 477 2
Passcode: BT7c9HW6

16.2 Interested parties are required to confirm their attendance by sending their email addresses and contact details by 26 November 2026 to the following address: ivp.eoi@transnet.net

17 Requests for Clarifications

17.1 The Respondent may request clarification on any item contained in this EOI by not later than 25 January 2027;

17.2 All enquiries, queries, and requests for clarification in respect of this EOI must be in writing and submitted through the communication channel designated by TNPA which is an email address: ivp.eoi@transnet.net; and

17.3 TNPA will endeavor to respond to all reasonable written queries and requests for clarification raised by any Respondent and share responses with all interested parties that have submitted their contact details.

18 Response Submission

18.1 Transnet has implemented an electronic tender submission system, the e-Tender Submission Portal through which Respondents may view advertised tenders, register their information, log their intent to submit a response and upload their EOI response submissions.

18.2 Respondents must note that a link to an editable version of **Annexure A** will be provided by TNPA to enable interested parties to capture their information for TNPA to assess their NMP status for inclusion into the database.

18.3 All returnable documents listed in **Annexure B** (New Market Participant Eligibility and Essential Returnables Checklist) of this EOI must be returned with your submission.

18.4 The Transnet e-Tender Submission Portal can be accessed as follows:

- Log on to the Transnet e-Tenders management platform:
- website/Portal (Transnetetenders.azurewebsites.net)
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER" – to register new Respondent information and ensure that all mandatory information is

completed) OR;

- to "SIGN IN" if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit EOI response submission;
- Submit EOI response documents by uploading them into the system against each tender selected.
- Respondents are to submit EOI documents by uploading them onto the Transnet system against each tender selected.
- Respondents can upload 30Mb per upload and multiple uploads are permitted.

18.5 Respondents should ensure that electronic EOI submissions are submitted at least a day before the closing date and should not wait for the last hour before the deadline to submit. This is to enable them to timeously address issues which they may encounter due to internet speed, bandwidth or the size of the number of uploads being submitted.

18.6 TNPA will not be held liable for any challenges experienced by Respondents as a result of their own technical challenges.

18.7 No late submissions will be accepted. The submission guide can be found on the Transnet Portal: Transnetetenders.azurewebsites.net

18.8 Each company must register its own profile using its company details and use the corresponding registered profile to log in with an intent to submit the EOI response.

18.9 TNPA will not accept a response from any Respondent who submits a response in the Transnet e-tender submission through another Respondents'/Company's profile. In other words, each Respondent must register their intent and submit its EOI response through its own profile under the same company name that will eventually participate in the capacity application process. No company shall submit a response on behalf of another company regardless of the company being a subsidiary or holding company.

18.10 In case of a Joint Venture or Consortium, any of the parties/companies to the Joint Venture or Consortium may use its registered profile to submit a response on behalf of the Joint Venture or Consortium.

18.11 A detailed submission guide can be found on the Transnet Portal: Transnetetenders.azurewebsites.net.

18.12 The person or persons signing the submission must be legally authorized by the Respondent to do so.

19 Confidentiality

19.1 TNPA and the relevant Designated Terminal Operators shall treat all information submitted by Respondents and identify it as confidential or commercially sensitive in accordance with the Framework and applicable Law.

19.2 Confidential information may be used and disclosed only to the extent reasonably necessary for the administration, assessment and implementation of the EOI process and the Framework, or where disclosure is required by Law.

19.3 Where required, a Respondent may be requested to sign a confidentiality undertaking to facilitate the exchange of commercially sensitive or technical information.

20 Corrupt Gifts and Fraud

20.1 By submitting an EOI Response, the Respondent warrants that it has not committed any corrupt act as is defined and prohibited under the Prevention and Combating of Corrupt Activities Act 12 of 2004.

20.2 If a Respondent, or any person employed by the Respondent, is found to have either directly or indirectly offered, promised or given to any person in the employ of TNPA, any commission, gratuity, gift or other consideration, TNPA shall have the right and without prejudice to any other legal remedy which it may have in regard to any loss or additional costs or expenses, to exclude the EOI Respondent from further participation in this process and any other subsequent processes in this regard; and

20.3 In such an event, the Respondent will be responsible for all and any loss that TNPA may suffer a result thereof. In addition, TNPA reserves the right to exclude such a Respondent from future business with TNPA.

21 ANNEXURE A — EXPRESSION OF INTEREST (EOI) FORM

(Non-binding preliminary submission)

Applicant Information

Field	**Details**
Legal Entity Name	_____
Registration Number	_____
Names of Directors and ID No's	_____
Copy of CIPC Report provided	□ Yes □ No
List of Shareholders (full name and Registration number, where applicable)	_____
Physical Address	_____
Contact Person	_____
Designation	_____
Telephone / Mobile	_____
Email Address	_____
Status as New Market Participant	□ Yes □ No

Product & Capacity Requirements

Field	**Details**
Product Type	_____

Field	Details
Indicative Volume (in cbm)	_____
Throughput Requirement (if any)	_____
Desired Start Date	_____
Intended Duration	_____
Operational Requirements (if any)	_____

Legal:

Field	Details
List of all applicable permits and licences held (including ITAC, Wholesale Licence, and copy of agreement with TPL for NMPP use, if applicable) (copies to be provided)	_____

Preliminary Operational Inputs

(To enable the Designated Terminal Operator to run a technical feasibility check)

Requirement	Details
Mode of Receipt	□ Vessel □ Pipeline □ Rail □ Road □ Internal Tank Sale
Mode of Dispatch / Redelivery from Terminal	□ Vessel □ Pipeline □ Rail □ Road □ Internal Tank Transfer/Sale

Requirement	Details
Delivery Frequency	_____
Safety/Compatibility Information	_____
Any Known Constraints	_____
Confirmation (letter signed by duly authorised representative of the applicant, permitting the Designated Terminal Operator to conduct a credit check and provide required information, where requested)	□ Yes □ No

Declaration

This EOI is non-binding, submitted only to enable a preliminary feasibility assessment.

It does not establish queue position or constitute a formal Third-Party Access Application.

Name: _____

Signature: _____

Date: _____

22 ANNEXURE B-NEW MARKET PARTICIPANTS ELIGIBILITY CHECKLIST

Applicants must complete this checklist for eligibility and essential returnable documents and provide supporting evidence for each criterion.

No.	Eligibility Requirements	Yes/No	Supporting Evidence Attached
1	The Respondent must be a duly registered legal entity in South Africa or another recognised jurisdiction. CIPC registration documents must be submitted as evidence.	☐ Yes ☐ No	☐
2.	The Respondent must hold and submit the following licenses: • valid wholesale licence; and • valid ITAC permits	☐ Yes ☐ No	☐
No.	**Essential Returnables**	**Yes/No**	**Supporting Evidence Attached**
3.	The Respondent should demonstrate access to upstream product supply and storage facility through existing or proposed supplier arrangements and provide evidence such as reference letters from suppliers/storage facility providers.	☐ Yes ☐ No	☐
4.	The Respondents can demonstrate adequate financial capability to procure and import product with evidence of such financial statements.	☐ Yes ☐ No	☐
5.	Respondents to submit a comprehensive business operating model that clearly defines how they plan to handle and distribute Product/s	☐ Yes ☐ No	☐
6.	SARS compliance (proof of VAT registration) in the form of a valid TAX pin for verification purpose	☐ Yes ☐ No	☐
7.	A valid B-BBEE certificate issued by a SANAS registered entity	☐ Yes ☐ No	☐

Declaration: The Respondent agrees to comply with all requirements of the Third-Party Access Framework and any applicable TNPA policies and procedures.

Note: The Applicant must not exceed the maximum cumulative period of five (5) years of access to Specific Dedicated Capacity under the Third-Party Access Framework.

Supporting Documents

Respondents should attach the following supporting documents as part of the Eligibility/Essential Returnable documents with their submission and TNPA may request any of the Essential documents should it be required for assessment purpose:

Corporate Documentation

☐ CIPC Registration Certificate
☐ Memorandum of Incorporation (if applicable)
☐ Shareholding Structure and Beneficial Ownership Details
☐ Directors' Register
☐ Declaration of Independence and Non-Affiliation

Regulatory Compliance

☐ Applicable Wholesale Licence(s)
☐ Import Permit(s) (where applicable)
☐ Tax Compliance Status Pin
☐ Relevant Industry Authorisations and Permits including:

- valid wholesale licence; and
- valid International Trade Administration Commission (ITAC) permits

Upstream Supply Capability

☐ Supplier Agreement(s)
☐ Letter(s) of Intent from Suppliers
☐ Product Supply Arrangement Evidence
☐ Proof of Funding or Financial Capacity

Downstream Market Capability

☐ Customer Offtake Agreement(s)
☐ Customer Letter(s) of Intent

☐ Distribution Agreement(s)
☐ Market Demand Evidence

Operational Information

☐ Product Type(s)
☐ Required Storage Capacity (m³)
☐ Estimated Monthly/Annual Throughput Volumes
☐ Proposed Commencement Date
☐ Receipt and Dispatch Requirements

Declaration

I _____, the undersigned, hereby certify that the information provided in this Eligibility Checklist and all supporting documentation is true, complete and accurate. I acknowledge that Transnet National Ports Authority (TNPA) reserves the right to verify any information submitted and may disqualify an Applicant where any information is found to be false, misleading or materially incomplete.

Applicant Name: _____

Authorised Representative: _____

Designation: _____

Signature: _____

Date: _____