IN THE COMPANIES TRIBUNAL OF SOUTH AFRICA

CASE NO: CT02798ADJ2026

Ex Parte Application

NATAL NAVIGATION COLIERIES AND ESTATE COMPANY APPLICANT

Presiding Member: Dr. M A Chicktay
Date of Decision: 20th July 2026

DECISION

INTRODUCTION

[1] The Applicant is Natal Navigation Colieries and Estate Company ("the Applicant"), registered in terms of the company laws of the Republic of South Africa, under registration number 1902/001743/06 represented by B Rajpal who is duly authorized to do so.

[2] The Applicant filed an application requesting an extension to hold its AGM more than the statutory 15 Months after the last AGM.

APPLICANT'S SUBMISSIONS

[3] The applicant submits that it is a wholly owned subsidiary of Eskom Holdings SOC limited. Eskom Holdings SOC limited has undergone a change to its board. This has caused a delay in holding an AGM

[4] The Applicant is now requesting that they be given an extension to hold the AGM.

APPLICABLE LAW

[5] Section 61 of the Companies Act 71 of 2008 provides for shareholders meetings.

[6] Section 61(7) specifically provides as follows:

"A public company must convene an annual general meeting of its shareholders-

(a) Initially, no more than 18 months after the companies date of incorporation; and

(b) Thereafter, once every calendar year, but no more than 15 months after the date of the previous annual general meeting, or within an extended time allowed by the Companies Tribunal, on good cause shown,"

EVALUATION

[7] The Tribunal is satisfied that good cause has been shown as to why the AGM could not be held within the statutory period required by the Act. Due to a new board being appointed for Eskom Holdings SOC limited there has been a delay in holding an AGM.

[8] The applicant will be given an extension to hold its AGM by no later than 15th December 2026.

ORDER

[9] The Applicant is granted an extension to hold its AGM before 15th December 2026.

Dr. MOHAMED ALLI CHICKTAY
MEMBER OF THE COMPANIES TRIBUNAL