

PEAK RAIL PLC

Company number 02071142

The Companies Act 1985

Special resolution

On the 24th day of October 2023 the following special resolution was agreed and passed by the members:-

That the Articles of Association be altered by the inclusion of the following additional articles.

Communications

14. Any notice to be given to or by any person pursuant to the articles may be in writing (a) in hard copy form or (b) in electronic form except that a notice calling a meeting of the directors need not be in writing. Clause 111 in Table A shall be modified accordingly.
15. The company may give any notice to a member either personally or by sending it by post in a prepaid envelope addressed to the member at his registered address or by leaving it at that address or by electronic means to an electronic address registered with the Company. In the case of joint holders of a share, all notices shall be given to the joint holder whose name stands first in the register of members in respect of the joint holding and notice so given shall be sufficient notice to all the joint holders. A member whose registered address is not within the United Kingdom and who gives to the company an address within the United Kingdom at which notices may be given to him shall be entitled to have notices given to him at that address, but otherwise no such member shall be entitled to receive any notice from the company.
16. Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted. If a notice was served by electronic communication, proof shall be that it was properly addressed and sent, and it will be treated as being delivered the same day as the electronic communication was sent. Clause 115 in Table A shall be modified accordingly.

Proxy

4. (c) The appointment of a proxy shall be made in writing (a) in hard copy form, or (b) in electronic form and shall be in any usual form or in any other form which the Board may approve. Where the proxy form requires signature by a Member or other person and is in the form of an electronic communication, the Company may, if it chooses, remove the requirement for a signature or require the electronic communication to be accompanied by any other evidence it may specify. The Company may validate any document of this kind by means of its choosing, and any document not validated can be treated by the Company as never having been received.

Hazel Evans
Company Secretary
Dated 27 October 2023

