

PERFORMANCE GUARANTEE

BENEFICIARY: -----

DATE: -----

PERFORMANCE GUARANTEE NO.: -----

WE HAVE BEEN INFORMED THAT ----- [NAME OF APPLICANT] (HEREINAFTER CALLED "THE CONTRACTOR") HAS ENTERED INTO CONTRACT NO. ----- [REFERENCE NUMBER OF THE CONTRACT] DATED ----- WITH YOU, FOR THE ----- [INSERT "CONSTRUCTION"/ "SUPPLY"] OF ----- [NAME OF CONTRACT AND BRIEF DESCRIPTION OF WORKS] (HEREINAFTER CALLED "THE CONTRACT").

FURTHERMORE, WE.....UNDERSTAND THAT, ACCORDING TO THE CONDITIONS OF THE CONTRACT,A PERFORMANCE GUARANTEE IS REQUIRED. AT THE REQUEST OF THE CONTRACTOR, WE ----- [NAME OF BANK] HEREBY IRREVOCABLY UNDERTAKE TO PAY YOU ANY SUM OR SUMS NOT EXCEEDING IN TOTAL AN AMOUNT OF ----- (AMOUNT IN FIGURES) ----- [AMOUNT IN WORDS], UPON RECEIPT BY US OF YOUR FIRST DEMAND IN WRITING ACCOMPANIED BY A WRITTEN STATEMENT STATING THAT THE CONTRACTOR IS IN BREACH OF ITS OBLIGATION(S) UNDER THE CONTRACT, WITHOUT YOUR NEEDING TO PROVE OR TO SHOW GROUNDS FOR YOUR DEMAND OR THE SUM SPECIFIED THEREIN.

THIS GUARANTEE SHALL EXPIRE, NO LATER THAN THE .----- (EXPIRY DATE) AND ANY DEMAND FOR PAYMENT UNDER IT MUST BE RECEIVED BY US AT THIS OFFICE ON OR BEFORE THAT DATE (EXPIRY DATE) UPON EXPIRY THIS GUARANTEE SHALL BECOME NULL AND VOID, WHETHER RETURNED TO US FOR CANCELLATION OR NOT, AND ANY CLAIM OR STATEMENT RECEIVED THEREAFTER SHALL BE INEFFECTIVE.

CONSEQUENTLY ANY DEMAND FOR PAYMENT UNDER THIS GUARANTEE MUST BE RECEIVED BY US VIA ORIGINAL PAPER FORM AND OR AUTHENTICATED SWIFT AT THIS OFFICE ON OR BEFORE THAT DATE (EXPIRY DATE)

THIS GUARANTEE IS SUBJECT TO THE UNIFORM RULES FOR DEMAND GUARANTEES,ICC PUBLICATION NUMBER 758 BY THE INTERNATIONAL CHAMBER OF COMMERCE