

## 8. DECLARATION AND ACKNOWLEDGEMENT BY APPLICANT / CHARGOR

The Applicant requests the Bank to issue a Banker's Guarantee/Performance Bond in the format and details as stated in this application form (hereinafter referred to as "the Guarantee" which expression shall include any extension or modification thereto) and the Applicant agrees that the issuance of the Guarantee by the Bank shall be on the terms and conditions stated herein and in the **Standard Terms and Conditions for Banker's Guarantee (which the Applicant acknowledges receipt of)**.

### Additional Conditions Precedent:

The Guarantee shall not be issued until the Bank has received:

1. the fixed deposit (in cleared funds) to be charged to the Bank;
2. the duly executed Memorandum of Charge over Deposit together with the documents necessary for charge registration with the Accounting and Corporate Regulatory Authority in Singapore (if applicable);
3. each of the Applicant's and Chargor's supporting board resolution (where applicable); and
4. the commission/fee payable for the issue of the Guarantee.

### Bank has final discretion:

Notwithstanding the compliance of the conditions precedent, the Bank shall have the final discretion to issue or to refuse to issue the Guarantee.

### Binding Contract:

The issuance of the Guarantee by the Bank in response to the Applicant's request as set out herein forms a binding contract/agreement between the Applicant and the Bank on the terms and conditions stated herein and in the **Standard Terms and Conditions for Banker's Guarantee**.

### Representations and Warranties:

Each of the Applicant and the Chargor (as the case may be) represents and warrants that:

1. it is not in default in the payment or performance of any of its obligations for monies borrowed;
2. no statutory demand has been served nor any bankruptcy, judicial management or winding up proceedings been commenced against it;
3. it is able to pay its debts when the debts fall due;
4. all information stated in the Application form is true, complete and correct in all respects;
5. none of the family members of its proprietors, partners or directors are employees or directors of RHB Bank Berhad or RHB Capital Group;
6. it has the capacity, power, authority, legal right, ability and has taken all necessary corporate action to enter into and deliver this Application and to perform, observe and comply with all its obligations hereunder, the Standard Terms and Conditions for Banker's Guarantee and the Memorandum of Charge Over Deposit (hereafter collectively referred to as "the documents") and that the execution of the Documents have been duly authorized;
7. that the Documents and the transactions contemplated therein (i) is of commercial benefit to the Applicant and the Chargor, (ii) is in the best interest of Applicant and the Chargor and their respective shareholders, employees and creditors and is not a fraud on any of them, (iii) constitutes a proper purpose for the exercise of its powers and (iv) does not contravene Section 76 and/or 163 of the Companies Act, Chapter 50 of Singapore; and
8. the entering into this Application will not result in any breach of any limit binding on it. In addition, the acceptance of and the performance of its obligations under the Documents are valid, binding and exercisable, and are not precluded by, nor will they infringe, the provisions of any trust deed, mortgage, charge, agreement, deed or other instrument binding upon it.

### Authorisation:

The Applicant and Chargor (as the case may be) authorises the Bank to conduct credit checks on it and obtain or verify any information on the Application which the Bank may require in connection with this application.

### Signed by or on behalf of the Applicant:

Name: _____ Designation: _____	Name: _____ Designation: _____
Name: _____ Designation: _____	Name: _____ Designation: _____

### Signed by or for and on behalf of the Chargor:

Name: _____ Designation: _____	Name: _____ Designation: _____
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### Witnessed by:

Name: _____ I/C No.: _____	Name: _____ I/C No.: _____
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## DOCUMENTS REQUIRED

### Standard Documents Required

1. Completed Express Banker's Guarantee Application Form (New)
2. Sample of Guarantee Template (For Non-Standard Banker's Guarantee)
3. Memorandum of Charge Document – MOCD
4. Photocopy of NRIC/Passport of Sole Proprietors/Partners/Directors

Note: Processing Fee Applies

### For Sole-Proprietorship / Partnership Account

1. Latest Copy of Business Registration Certificate
2. Mandate, if third party is to operate the account

### For Private Limited

1. Copy of Memorandum and Articles of Association
2. Statement Containing Particulars of Charge (if applicable)
3. Copy of Certified Resolution of Board, authorizing the company to
  - a. To open a bank account and stipulating the directors authorized to operate the account
  - b. To Apply and Accept BG facility

Note: Lawyers Fee Applies

### Deposit Insurance Scheme

Singapore dollar deposits of non-bank depositors are insured by the Singapore Deposit Insurance Corporation, for up to S\$50,000 in aggregate per depositor per Scheme member by law.

## FOR BANK USE

Total Guarantee Period: \_\_\_\_\_ Date/Time of Receipt: \_\_\_\_\_

Commission/Rate: \_\_\_\_\_ Relationship Manager: \_\_\_\_\_

Lawyers Fees:  Collected  Not Collected Branch Officer: \_\_\_\_\_

POA Required – Yes / No Collection Branch/Date: \_\_\_\_\_

Special Instructions (if any) \_\_\_\_\_

RHB **BizPower**

EXPRESS BANKER'S GUARANTEE

# Secure business deals with confidence



RHB

IT IS  
POSSIBLE WITH  
RHB!

### Benefits

- ◆ Preferential Fixed Deposit Rates
- ◆ Processed within 2 working days\*
- ◆ Convenient collection locations
- ◆ Flexible guarantee formats to suit your needs

### Qualifying Criteria

- ◆ Minimum amount of \$10K
- ◆ Backed by pledged fixed deposit

Visit any RHB Branch | Call 6323 2001 | Email bizpower@rhibank.com.sg

\*Subject to submission of full documentation and security upon application.

## 1. PARTICULARS OF BENEFICIARY

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Amount: \_\_\_\_\_ Currency(SGD): \_\_\_\_\_

## 2. GUARANTEE REQUIRED Please tick

◆ Standard Banker's Guarantee Template, BG Format No: \_\_\_\_\_

◆ Non-Standard Banker's Guarantee as per format attached  
(collection time: approximately 3 working days)

(Authorized signatory to initial on the attached format)

Is this a BG renewal? Yes / No   BG to be auto-renewed? Yes / No

Amount: \_\_\_\_\_ Currency: \_\_\_\_\_

Min S\$10k

Validity Period: From: \_\_\_\_\_ (dd/mm/yyyy) Expiry Date: \_\_\_\_\_ (dd/mm/yyyy)

Min 1 year, Max 5 years

Tenor: \_\_\_\_\_ (months) Claim Period: \_\_\_\_\_ (months)

## 3. PAYMENT DETAILS

◆ By Cash/Cheque Cheque No.: \_\_\_\_\_

◆ Please debit my RHB Account No. \_\_\_\_\_  
for payment of all fees, commission, legal fees and others expenses.

## 4. PARTICULARS OF SECURITIES (only SGD) Please tick

◆ Own Fixed Deposit

◇ Existing RHB Fixed Deposit Account No. \_\_\_\_\_

◇ New RHB Fixed Deposit Account to be opened:  
(Note: the account number will be notified upon the opening of the Fixed Deposit Account.)

I/We have executed the Memorandum of Charge over Deposit (MOCD) to charge the monies in the above mentioned Fixed Deposit Account to secure our liabilities under this Application and the Banker's Guarantee to be issued by RHB Bank Berhad.

◇ The existing charge over the above mentioned Fixed Deposit shall continue to secure our liabilities under this Application on the terms and conditions of the existing MOCD executed by me/us.

◆ Fixed Deposit held by Third Party

RHB Fixed Deposit Account No. \_\_\_\_\_

Name of Depositor: \_\_\_\_\_

The Depositor has/have executed the Memorandum of Charge over Deposit (MOCD) to charge the monies in the above mentioned Fixed Deposit Account to secure the liabilities of the Applicant under this Application and the Banker's Guarantee to be issued by RHB Bank Berhad.

◇ The existing charge over the above mentioned Fixed Deposit shall continue to secure the liabilities of the Applicant under this Application on the terms and conditions of the existing MOCD executed by me/us.

## 5. PARTICULARS OF APPLICANT

Do you have any borrowing facilities with RHB? Yes / No  
if Yes, please state type/total amount of facilities

\_\_\_\_\_

\_\_\_\_\_

Registered Name: \_\_\_\_\_

Registered Business Address: \_\_\_\_\_

Postal Code \_\_\_\_\_

Operational Business Address: \_\_\_\_\_

Postal Code \_\_\_\_\_

Description of Business Activities: \_\_\_\_\_

Registration No.: \_\_\_\_\_ Country of Incorporation: \_\_\_\_\_

Registration Date: \_\_\_\_\_ Country of Operation: \_\_\_\_\_

GST Registered: Yes / No \_\_\_\_\_ Constitution: \_\_\_\_\_

## 6. CORPORATE OWNERSHIP (for shareholders with > 20% shareholdings)

1. Name: \_\_\_\_\_ NRIC: \_\_\_\_\_

Age: \_\_\_\_\_ Marital Status: \_\_\_\_\_ Shareholding (%): \_\_\_\_\_

Role in Company: \_\_\_\_\_

2. Name: \_\_\_\_\_ NRIC: \_\_\_\_\_

Age: \_\_\_\_\_ Marital Status: \_\_\_\_\_ Shareholding (%): \_\_\_\_\_

Role in Company: \_\_\_\_\_

3. Name: \_\_\_\_\_ NRIC: \_\_\_\_\_

Age: \_\_\_\_\_ Marital Status: \_\_\_\_\_ Shareholding (%): \_\_\_\_\_

Role in Company: \_\_\_\_\_

4. Name: \_\_\_\_\_ NRIC: \_\_\_\_\_

Age: \_\_\_\_\_ Marital Status: \_\_\_\_\_ Shareholding (%): \_\_\_\_\_

Role in Company: \_\_\_\_\_

5. Name: \_\_\_\_\_ NRIC: \_\_\_\_\_

Age: \_\_\_\_\_ Marital Status: \_\_\_\_\_ Shareholding (%): \_\_\_\_\_

Role in Company: \_\_\_\_\_

6. Name: \_\_\_\_\_ NRIC: \_\_\_\_\_

Age: \_\_\_\_\_ Marital Status: \_\_\_\_\_ Shareholding (%): \_\_\_\_\_

Role in Company: \_\_\_\_\_

## 7. CONTACT DETAILS

### Contact Details – Main

Name: \_\_\_\_\_

Contact No.: \_\_\_\_\_

Email: \_\_\_\_\_

### Contact Details – Alternative

Name: \_\_\_\_\_

Contact No.: \_\_\_\_\_

Email: \_\_\_\_\_