**The bank guarantee / reserve letter of credit form is issued in the SWIFT system (form of financial guarantee of the fulfillment of the terms of the purchase agreement by financial settlement center from an energy producing organization using waste-to-energy**, **at auction prices)**

Name of the bank\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(name and details of the bank)*

To: «Расчетно-финансовый центр по поддержке возобновляемых источников энергии» LLP, BIN 130840019312, Certificate of the legal entity state registration dated 27.08.2013

# Bank guarantee No.\_\_\_\_\_

|  |  |
| --- | --- |
|  | « \_\_» 20 |

*(location)*

Taking into account that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(name of the auction winner, BIN (for residents) or analogue (for non-residents), number and date of the Certificate of legal entity state registration (for residents) or of the analogue (for non-residents))*

(hereinafter – Auction winner), concluded an agreement for purchase of electricity, by the Financial settlement center from waste-to-energy organization, at auction prices  dated\_\_\_\_\_\_\_\_\_ No. \_\_\_\_\_\_\_\_\_\_(hereinafter - PPA) with “Расчетно- финансовый центр по поддержке возобновляемых источников энергии” LLP (hereinafter – the “Beneficiary”), and will fulfill the Auction winner’s obligations to provide the Financial guarantee of the fulfillment of the terms of the PPA in the form of Bank Guarantee/Stand-by letter of credit, stipulated in the Rules of organizing and holding auctions, including qualification requirements for auction participants, the content and procedure for submitting applications, types of financial guarantee for participation in auctions and conditions of their deposit and return, the procedure for summing up the results and determining the winners, approved by the order of the Minister of Energy of the Republic of Kazakhstan dated December 21, 2017 No. 466 and the Rules for the centralized purchase and sale of the electric energy generated by the objects on use of renewable energy sources, waste-to-energy facility and flood electric energy the recalculation and redistribution by the financial settlement center of the corresponding share of electric power to qualified conditional consumer on the basis of the results of the calendar year, approved by order No. 164 of the Minister of Energy of the Republic of Kazakhstan dated March 2, 2015 regarding timeliness providing copy of the notification on the beginning of construction and installation works and copy of the act of acceptance of the object on use of waste-to-energy facility (hereinafter – WTE) with a capacity of\_\_\_\_MW, hereby \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(name of the bank)*

confirms that it takes obligations of the guarantor under the signed PPA and assumes an irrevocable aggregated obligation to pay the Beneficiary an amount equal to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ upon receipt of the first written request for payment

*(amount in tenge in digits and words)*

from the Beneficiary, indicating the amount of the payment, accompanied by a written statement that the Auction winner did not fulfill or improperly fulfilled the following obligations under the PPA with the possibility of piecemeal implementation of this Bank Guarantee obligations in the following cases:

1. if a copy of the notification on the beginning of construction and installation works for the waste-to-energy facility has not been provided to the Beneficiary within 6 (six) months after 24 (twenty four) months (for WTE facility) from the date of signing the PPA, in respect of which a PPA is concluded, submitted to the state body exercising state architectural and construction control - at a rate of 30 percent  from the amount of  this Bank Guarantee;
2. if a copy of the act of acceptance of the waste-to-energy facility,  in the order  defined in accordance with chapter 11 Law of architectural activity, in respect of which the PPA is concluded has not been provided to the Beneficiary – at a rate of 100 percent of the amount of this Bank Guarantee, and in the event of withholding of the part of the financial guarantee of the fulfillment of the terms of the PPA in accordance with subparagraph 1) of this Bank Guarantee - 70 percent of the amount of this Bank Guarantee within 60 (sixty) months from the date of signing the PPA.

The Beneficiary’s request for payment and written statement of the Beneficiary must be signed by authorized representative of the Beneficiary and duly stamped, and submitted to us through the Beneficiary’s bank by means of authenticated SWIFT to our SWIFT address: \_\_\_\_\_\_\_\_\_\_\_\_.

This Bank Guarantee shall enter into force starting from the moment of its issuance and is valid until \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(inclusive)

*The appropriate Bank Guarantee validity period for WTE facilities – not less than 61 (sixty one) months.*

and expires fully and automatically, regardless of whether this document will be returned to us or not, if we do not receive Your written claim and written statement by the end of validity period of this Bank Guarantee.

All rights and obligations arising in connection with this Bank Guarantee are regulated by the legislation of the Republic of Kazakhstan.

|  |  |
| --- | --- |
| **Signature and seal of the Guarantor** | **Date and address** |