

Bank Letter Head

Letter Payment Guarantee-SWIFT MT799orMT760(Sample)

**Amount USD0,000,000,000.00(USD 000MT X 0,000,000MT)
(United State Dollars One Billion xxxxx Hundred and xxxxxxMillion)**

We have been informed that you concluded on **the Purchasing of Brazilian iron ore** a contract no. **RPIL/CIHLLC-SPA-xxxx-CM- LNG -0,000KMTX 12-R&E with Quantity of xxxxe Million (0,000,000) Metric Ton** at a total price of **USD 0,000,000,000.00**

According to the contract, payment of the goods supplied has to be secured by a **Bank Guarantee or Standby Letter of Credit for the amount of USD 0,000,000,000.00.**The issuance of **Bank Guarantee or Standby Letter Of Credit for the said amount upon receipt, confirm and acceptance by the Seller's Bank shall supersede the Letter of Payment Guarantee.**

This being stated, we, **xxxxxx BANK and address :xxxxxxx**, irrespective of the validity and the legal effects of the above mentioned contract and waiving all rights of objection and defense arising there from, hereby irrevocably undertake to pay to you, upon your first demand, any amount up to the above mentioned maximum amount, upon receipt of your duly signed request for payment stating that

- You have supplied the company **XXXXXXXXXX XXXXXX** with the goods ordered, in conformity with The terms of the contract and
- You have not received payment at the due date **of the contract**, in the amount claimed under this guarantee.

For the purpose of identification your request for payment must bear or be accompanied by a signed confirmation of one of our correspondent banks stating that the latter has verified your signature(s) appearing on the said request for payment.

Your claim is also acceptable if transmitted to us in full by duly encoded telex /SWIFT through one of our correspondent banks confirming that your original claim has been forwarded to us by registered mail or courier service and that the said bank has verified your signature(s) appearing thereon.

Our guarantee is **valid for 13.5 months from the date of issue**, and expires in full and automatically, should your written request for payment or telex /SWIFT not be in our possession at our above address on or before that date, regardless of such date being a banking day or not.

Our guarantee will be reduced by each payment made by us as a result of a claim.

This guarantee is governed by Swiss law. Place of jurisdiction and performance is London.

MUST SIGN AND SEAL BY TWO BANK OFFICERS

Sample Format of BG (ICC 458)
BANK GUARANTEE

Bank Guarantee No. :

Beneficiary :
Currency : United States Dollars / EURO
Amount : USD / EURO000,000.00
Date of issue :
Date of maturity :
Place of issue :

We, the undersigned, (Name of Bank and Address) hereby irrevocably and unconditionally without protest or notification promises to pay against this Bank Guarantee No. in favour of, the bearer or holder thereof, at maturity in one (1) year and one (1) day, the sum of Hundred Million United States Dollars / EURO (USD / EURO000,000.00), in the lawful currency of the United States of America, upon presentation and surrender of this guarantee at any of the counter of [Name of Issuing Bank].

Such payment shall be made without set-off and clear of any deductions, charges, fees or withholdings of any nature, now or hereinafter imposed, levied, collected, withheld or assessed by the government of [country of issue] or any political subdivision or authority thereof or therein.

This Bank Guarantee is transferable and assignable without presentation or the payment of any fees.

This Bank Guarantee is governed by the latest version including amendments of the Uniform Customs and Practices for Documentary Credits as set forth by the International Chamber of Commerce in Paris, France (ICC 458).

This guarantee is a fully performed and operative instrument that can be confirmed and verified bank-to-bank by SWIFT. No mail confirmation will follow.

For and on behalf of [Name of Issuing Bank]

.....
Name:
Title:
Phone:

.....
Name:
Title:
Phone:

DRAFT SBLC MT 760 FORMAT

TO:

STANDBY LETTER OF CREDIT NO:

AMOUNT:

BENEFICIARY:

SWIFT CODE:

WE, (Name of Issuing Bank, Branch Name, Address), HEREBY ISSUE OUR IRREVOCABLE, UNCONDITIONAL, TRANSFERABLE AND ASSIGNABLE STANDBY LETTER OF CREDIT IN FAVOUR OF _____, BEING THE BENEFICIARY FOR THE AMOUNT EUR/USD _____ ONLY (€/ \$ _____) FOR FACILITIES GRANTED TO THE CLIENT, _____ LIMITED.

THIS STANDBY LETTER OF CREDIT IS AVAILABLE BY PAYMENT AGAINST YOUR AUTHENTICATED SWIFT OR TESTED TELEX TO US CERTIFYING THAT THE CLIENT FAILED TO PERFORM IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CREDIT FACILITY AGREEMENT AND THE AMOUNT DRAWN REPRESENTS THE UNPAID BALANCE OF INDEBTEDNESS INCLUDING THE PRINCIPAL AMOUNT, INTEREST ACCRUED AND OTHER BANKING CHARGES DUE TO YOU BY THE CLIENT.

WE WILL FOLLOW RECEIPT OF THE ABOVE AUTHENTICATED SWIFT WITHIN 7 WORKING DAYS TO PAY YOU THE AMOUNT SPECIFIED IN YOUR AUTHENTICATED SWIFT OR TESTED TELEX IN COMPLIANCE WITH THE ABOVE TERMS.

THIS STANDBY LETTER OF CREDIT WILL COME INTO EFFECT ON ____ AND EXPIRE ON _____ AT THE COUNTER OF [ISSUING BANK NAME AND ADDRESS].

MULTIPLE DRAWINGS ARE ALLOWED.

ALL BANKING CHARGES ARE FOR ACCOUNT OF THE CLIENT.

**THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE
FOR DOCUMENTARY CREDIT (1993 REVISION) INTERNATIONAL CHAMBER OF COMMERCE
PUBLICATION NO. 600.**

Appendix 7

Sample Text of SWIFT MT-103 FIELD 23

Date:

To:

BANK NAME :
BANK ADDRESS :
ACCOUNT NAME :
ACCOUNT NO. :
BANK OFFICER :
SWIFT CODE :
TEL. NO. Direct :
FAX NUMBER :

From:

Bank Name :
Bank Address :

Bank Account Holder :
SWIFT Code :
Bank Officer and Title :
TEL Number Direct :
FAX Number :

Agreement Number :

We, <name of the issuing bank>, on behalf of our client, <name>, hereby present our Conditional, Irrevocable, Assignable, Transferable and Callable cash-backed SWIFT wire transfer in your favor for the account of your client, _____, holding an account number: <number> for an Amount of USD430M (Four Hundred And Thirty Million United States Dollars).

This Conditional Irrevocable SWIFT is a binding payment commitment by us and we hereby undertake to wire transfer the said amount to you in favor of your client, upon complete execution of the monthly delivery cargoes as per signed AGREEMENT No:

We hereby confirm that the funds are good, clean and cleared funds of non-criminal origin and are from a legal source.

This Conditional, Irrevocable, Divisible, Assignable, Transferable Callable cash-backed SWIFT wire transfer is valid for 15 banking days from the __ th day of _____, 2007 and until the __ th day of _____, 2007.

This is an operative bank instrument and is subject to the Uniform Commercial Code as it relates to bank credit instruments.

(ELECTRONIC SIGNATURES OF TWO BANK OFFICERS WITH NAMES & TITLES)