

Application for the Contract Bond Guarantee

(Completed by the Exporter and the Exporter's Bank)



TE TAI ŌHANGA
THE TREASURY

Please download and save this form first. Then fill out, sign and email to exportcredit@treasury.govt.nz or the business originator responsible for your transaction.

Date of application (dd/mm/yyyy)

 / /

Application information

This application helps **New Zealand Export Credit** to assess your eligibility for a Contract Bond Guarantee.

We rely on the information you provide to make an assessment. All information provided must be accurate and complete.

We may require further information in addition to the information requested in this application form.

Please ensure all sections of the application are completed.

Sections A and B must be completed by the Exporter.

Sections C and D must be completed by the Exporter's Bank.

Section E is a request for additional information to support the application and a checklist.

Eligibility

To be eligible for our Contract Bond Guarantee we require:

- ▶ confirmation that you (the Exporter) are a New Zealand registered company or a subsidiary of a New Zealand registered company domiciled overseas
- ▶ signed acknowledgement of our anti-bribery and fossil fuel energy sector declaration
- ▶ evidence of economic benefits to New Zealand relating to your performance of the export contract, and
- ▶ demonstration of your managerial, financial, and technical capabilities to perform the export contract.

Assessment fee

A non-refundable assessment fee of 1,000 NZD must be paid to New Zealand Export Credit to assess the Contract Bond Guarantee Application and is payable into the following account:

The Crown Revenue Account
Westpac New Zealand Limited, Government Branch
Lambton Quay, Wellington

Account Number: 03-0049-0000327-25

SWIFT CODE: WPAC NZ2W

New Zealand Export Credit is located within the Financing, Infrastructure and Urban Development Directorate of the Treasury.

If you have any queries on the Contract Bond Guarantee or your application, please call 04 917 6060.

Alternatively email us at exportcredit@treasury.govt.nz

SECTION A: To be completed by the Exporter

Contract bond details

1 Bank

Name	
Postal address	
Authorised contact person and position	
Contact phone number	
Email	

2 Exporter

Name			
Postal address			
Authorised contact person and position			
Contact phone number			
Email			
Website			
Company registration number		ANZSIC code	

3 Buyer

Name	
Postal address	
Authorised contact person and position	
Contact phone number	
Email	
Website	

4 Description of the goods/services/project

5 If the contract is part of a larger project, please tell us about the larger project

6 Is this project similar to other work you have already undertaken?

Yes No

7 Contract terms

Contract milestones, major events or stages of work to be completed	List dates of progress payments according to the contract terms	List the value of each progress payment	
Total contract completion period (months)		Total contract value	

8 Type of bond required

Type of bond	Percentage and bond amount required	Start date (dd/mm/yyyy)	End date (dd/mm/yyyy)
Bid bonds	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
Advance payment bonds	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
Performance bonds	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
Labour and material payment bonds	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
Warranty/maintenance bonds	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
Retention bonds	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
Total bond amount required	<input type="text"/>		

9 How will you be paid by the Buyer?

Open account
 Letter of credit
 Other (please specify)

10 What is the status of this contract?

Bid stage
 Contract signed (please tick one)

Tender date (dd/mm/yyyy) / /

Contract date (dd/mm/yyyy) / /

Date of commissioning (dd/mm/yyyy) / /

11 Will the bond(s) fluctuate in value as deliveries are made or as milestones are completed?

Yes
 No

12 Can any of the bonds be called unconditionally on demand?

Yes
 No

Exporter details

13 Please summarise the export business and history of your company, its ownership and management, and any related companies

14 Please complete the following table

Sales and export Information (starting with the fiscal year most recently completed)	Year ended (dd/mm/yyyy)	Year ended (dd/mm/yyyy)	Year ended (dd/mm/yyyy)
	/ /	/ /	/ /
Total sales (NZD)			
Export sales (NZD)			
Number of employees			

Exporter financial information

15 Please provide information on your current finance arrangements (including any shareholders'/directors' loans)

Bank/lender	Facility type	Facility limit \$000s	Balance \$000s	Expiry date (dd/mm/yyyy)

16 Please provide information about existing bonding commitments

The bonding company/bank	
What percentage of your bonds is payable on demand?	
Have you had any bank instrument or contract bond, issued on your behalf, called?	

Contracts currently bidding on

17 Please provide information on the contracts you are currently bidding on (but not yet signed)

Total value of contracts bidding on	
Total value of contracts you expect to sign	
In which countries	
How much bonding these contracts will require	
When these contracts are likely to begin and end	

Largest contracts completed to date

18 Please provide information on your largest contracts completed to date

Completed contract

Contract and type of work	
Name of Buyer	
Country	
Total contract value	
Bonding requirements	
Start/completion dates	
Gross profit	

Completed contract

Contract and type of work	
Name of Buyer	
Country	
Total contract value	
Bonding requirements	
Start/completion dates	
Gross profit	

Completed contract

Contract and type of work	
Name of Buyer	
Country	
Total contract value	
Bonding requirements	
Start/completion dates	
Gross profit	

Work in progress contracts

19 Please provide information on your current work in progress for substantial contracts

Contract work in progress

Contract and type of work	
Name of Buyer	
Country	
Total contract value	
Terms of payment	
Bonding requirements	
Start/completion dates	
Original estimated gross profit	
Work completed to date (%)	
Amount billed to date	
Costs to date	
Revised estimate to complete works	

Contract work in progress

Contract and type of work	
Name of Buyer	
Country	
Total contract value	
Terms of payment	
Bonding requirements	
Start/completion dates	
Original estimated gross profit	
Work completed to date (%)	
Amount billed to date	
Costs to date	
Revised estimate to complete works	

Contract work in progress

Contract and type of work	
Name of Buyer	
Country	
Total contract value	
Terms of payment	
Bonding requirements	
Start/completion dates	
Original estimated gross profit	
Work completed to date (%)	
Amount billed to date	
Costs to date	
Revised estimate to complete works	

Offshore entities and agents

20 Have you entered into the contract indirectly through an offshore subsidiary, joint venture or other entity?

Yes No

If Yes, what is the address of the offshore entity?

What is your direct/indirect ownership percentage of the foreign entity?

What are the names and addresses of any other owners of the offshore entity?

Buyer details

21 Is the Buyer a new customer or a previous client?

is a new customer a previous client since

If a previous client, please explain your experience of the Buyer including their history of fulfilling their contractual obligations

22 Please describe any other exporting history in the country of the Buyer

23 Will the Buyer be named as the beneficiary or obligee on all the contract bonds?

Yes No

If No, who is the beneficiary or obligee?

Origin of goods and/or services

24 New Zealand content (refers to goods and services manufactured or designed in New Zealand plus profit and intellectual property)

Description of the New Zealand value added content, repatriated profit and any other economic benefits to New Zealand relating to the delivery of the goods and/or services provided under the export contract	
List of your New Zealand supplier(s) or subcontractor(s) including your prior experience with them	
Percentage of contract amount which relates to New Zealand content	

25 Foreign content (refers to goods and services manufactured or designed in, or provided by residents of a country other than New Zealand)

List of your supplier(s) or subcontractor(s), their country of origin, and your prior experience with them	
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Agents

26 Is there any person, such as an Agent, acting on behalf of your company in respect to this transaction?

Yes No

27 Name and address of Agent(s)

Name	
Postal address	
Name	
Postal address	
Name	
Postal address	

28 Please provide details of the services which the Agent(s) has provided or is providing

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29 Please specify the amount of any commission, fees or other remuneration relating to this transaction

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30 Please specify the country or countries where any commission, fees or other remuneration is payable to the Agent(s)

Environmental and/or social impacts

31 Are you aware of any significant environmental social and/or human rights impact associated with this transaction, the end user and/or the Buyer?

Yes No

If Yes, please complete New Zealand Export Credit's environmental and social impacts questionnaire
<https://exportcredit.treasury.govt.nz/corporate-responsibility/environmental-and-social-review>

32 Does the export of goods or services support the fossil fuel energy sector, defined as:

- a) exploration, extraction, production, transportation, storage, and refining of oil, gas, and coal
- b) fossil fuel-fired plants, and/or
- c) supporting infrastructure, logistics, and services primarily related to a) or b) above.

Yes No

If Yes, have you received written confirmation from New Zealand Export Credit that an exemption applies?

- ▶ If Yes, please attach as an addendum to this application.
- ▶ If No, please contact New Zealand Export Credit.

Additional information

33 Any other relevant information

SECTION B: Exporter declaration

I am authorised to complete this application on behalf of the Exporter. I certify that the Exporter is a New Zealand resident for tax purposes and that the information contained in this application and attachments is accurate, complete and contain no omissions. I understand that New Zealand Export Credit will rely upon the information provided in this application to determine the appropriateness of providing indemnity for the Bond(s).

I undertake to inform New Zealand Export Credit immediately of any changes to the details provided as soon as these become known to me.

I understand that a condition of New Zealand Export Credit's indemnity is to sign a Recourse Deed between ourselves and New Zealand Export Credit. I further understand that the Recourse Deed enables the New Zealand Export Credit to seek recourse from ourselves in the event of a loss being made.

I will promptly provide to the Bank and New Zealand Export Credit such information (and if given directly to the Bank, we consent to the disclosure of information to New Zealand Export Credit) as they may reasonably require in respect of the Contract Bond Guarantee.

I authorise the Bank specified in this application to disclose to New Zealand Export Credit any information which New Zealand Export Credit may reasonably require in connection with this application, or during the life of the Bonding facility. This specific authority to disclose information to New Zealand Export Credit is given by me, notwithstanding that the information was provided to the Bank in confidence.

I acknowledge New Zealand's bribery laws for both public and private sectors, and New Zealand Export Credit's Anti-Bribery initiatives published here: <https://www.justice.govt.nz/assets/Ministry-of-Justice-Anti-Corruption-Guide.pdf>

I declare that to the best of my knowledge, neither the Exporter nor any person acting on the Exporter's behalf or acting with its consent or authority (including any of the Exporter's employees, agents or subcontractors):

- a) has engaged, or will engage, in corrupt activity in relation to any Relevant Matter
- b) is currently under charge in any court, or is formally under investigation by public prosecutors for violation of laws against bribery of any country
- c) within a five year period preceding the date of this declaration has been convicted in any court for violation of laws against bribery of any country, been subject to equivalent measures, or been found as part of a publicly-available arbitral award to have engaged in bribery, and/or
- d) is listed on the publicly available debarment lists of the World Bank Group or any similar Multilateral Financial institution.

I declare that any commissions and fees to be paid to any persons acting on the Exporter's behalf in connection with the Relevant Matter is or will be for legitimate services only.

I understand that for the purposes of this declaration that **Relevant Matter** means this application or a transaction, agreement, arrangement or event contemplated by or referred to in this application. I acknowledge and agree that the Exporter's (or any of its employees, agents or subcontractors) involvement in corrupt activity in relation to a Relevant Matter may have serious consequences, including without limitation:

- a) evidence of corrupt activity being referred to the appropriate authorities, and
- b) termination of a Relevant Matter, acceleration of repayments or the cancellation of insurances, guarantees or other financial accommodation, as the case may be.

I acknowledge and agree to indemnify New Zealand Export Credit for all losses and expenses, including legal costs, incurred should the Exporter or anyone acting on the Exporter's behalf in relation to a Relevant Matter have engaged in or engage in illegal bribery.

The Applicant acknowledges New Zealand Export Credit's fossil fuel divestment policy, published here: <https://exportcredit.treasury.govt.nz/news/new-zealand-export-credit-supports-clean-energy-transition>

The Applicant confirms that the Relevant Matter does not concern activities within scope of New Zealand Export Credit's fossil fuel divestment policy or, where applicable, that the Applicant has confirmation from New Zealand Export Credit that one of the exemptions applies, attached as an addendum to this application.

In making this declaration, I acknowledge and agree that any personal information provided to New Zealand Export Credit in, or in relation to, this application will be used by New Zealand Export Credit in accordance with New Zealand Export Credit's privacy policy available from <https://exportcredit.treasury.govt.nz/privacy>

Exporter company

Name and signature of director/authorised person

Name and signature of director/authorised person

Date (dd/mm/yyyy)

Please print and sign, then scan and email form to exportcredit@treasury.govt.nz

SECTION C: To be completed by the Bank

Bank questions

34 What premium/fees (if any) will be charged for the issue of the bond(s)?

35 To the best of your knowledge, are you aware of the Exporter having any bond(s) called?

36 In the event of a risk sharing arrangement with New Zealand Export Credit, what percentage of the bond amount will be covered by you?

To be attached by the Financier

Please attach the most recent credit report in relation to the Exporter (which covers the Exporter's existing and proposed credit facilities, and related terms and conditions).

SECTION D: Bank declaration

- ▶ I am authorised to complete this application on behalf of the Bank.
- ▶ I confirm support of the Exporter's application for a New Zealand Export Credit Contract Bond Guarantee.
- ▶ I confirm that, to the best of my knowledge, the information provided by the Exporter in this application is consistent with our information on the Exporter.
- ▶ I understand that New Zealand Export Credit will rely upon the information provided in this application to determine the appropriateness of providing indemnity for the bond(s).
- ▶ I undertake to inform New Zealand Export Credit immediately of any adverse changes reasonably considered being material to the Bank's view of the Exporter as soon as these become known to me.

Bank name

Authorised officer of Bank

Name in block capitals

Signature

Telephone number including area code

Please print and sign, then scan and email form to exportcredit@treasury.govt.nz

SECTION E: Additional information required and checklist

The additional information is required to fully assess your application for a Contract Bond Guarantee. Please attach the following documents and complete the checklist.

Information required and checklist

- Tender or bid documents, signed or pro forma commercial contract
- A copy of the bond(s) requested by the Buyer
- Audited financial statements (or unaudited financial statements prepared in accordance with NZGAAP) for the Exporter including:
 - ▶ the last three years and your latest interim statements
 - ▶ projected cashflow of this project and itemised expenses on a monthly or quarterly basis (as appropriate), and
 - ▶ forecast information on your company's total cashflow (total revenue and expenses) for the duration of the Contract Bond Guarantee.
- Section A – completed by the Exporter
- Section B – Exporter's Declaration has been completed and signed
- Section C – completed by the Bank, or
- Section D – Bank Declaration has been completed and signed
- The non-refundable Contract Bond Guarantee assessment fee of 1,000 NZD has been paid into the New Zealand Export Credit account
- Completed New Zealand Export Credit Environmental and Social Impacts Questionnaire (if required).

If you need any assistance, please call us on 04 917 6060 or email exportcredit@treasury.govt.nz