

THE WEST COAST REGIONAL COUNCIL

SURETY BOND

**TO SECURE COMPLIANCE
WITH TERMS AND CONDITIONS OF A RESOURCE CONSENT
AND/OR TO REMEDY ANY ADVERSE ENVIRONMENTAL EFFECTS**

BY THIS BOND received this _____ day of _____ 20

Resource Consent Number:

Minerals Permit Number:

(Name of holder of resource consent)

(hereinafter called "the Consent Holder")

AND

(Name and address of Bank or Insurance Company having its registered office at place)

Bank reference number:

(hereinafter called "the Surety")

their successors and assigns, are jointly and severally bound to pay the West Coast Regional Council (hereinafter called the "Council") the guarantee sum of \$ _____

PURPOSE

The Consent Holder has applied under the Resource Management Act 1991 (hereinafter referred to as "the Act") for a resource consent, such application bearing number _____ for the purpose of

STATUTORY AUTHORITY

Section 108 (2) (b) of the Resource Management Act provides that a resource consent may include a condition requiring that a bond/deposit be given in respect of the performance of any one or more of the conditions of the resource consent.

Section 108A (2)(f) of the Resource Management Act provides that the Council may require the holder of a resource consent to provide a guarantor to bind itself to pay for the carrying out and completion of any condition in the event of any default of the holder or any occurrence of any adverse environmental effect requiring remedy

GUARANTEE SUM

A bond/deposit in the aggregate sum of _____ (\$_____) is required in respect of the performance of the conditions stated in the resource consent and in the respect of the carrying out and completion of any condition in the event of any default of the holder or any occurrence of any adverse environmental effect requiring remedy.

CONDITIONS

- A. The Consent Holder has agreed to enter into and execute this Bond and has requested the Surety for the purpose aforesaid to join with it herein which the Surety has agreed to do.

- B. Payment will be only made forthwith upon receipt of a written demand signed by the Council and such payment will be made without reference to and not withstanding any instructions from the consent holder to the surety not to pay same. Payment or part payments will be made as demanded under the bond up to the sum secured under this bond.

- C. The surety may at anytime deposit with the Council the sum secured under this bond or such lesser sum as may be required and that upon such deposit being made the liability of the surety shall be terminated.

- D. This Bond shall be and remain in full force and effect throughout the term of the consent and until all obligations under the consent have been performed.
- E. The Council, after demanding payment under this Bond and receiving the said payment, shall return so much thereof as remains unexpended in the Council's hands.
- F. Neither the Consent Holder nor the Surety shall be released from any liability under this Bond by reason of:
 - a. any alteration in the obligations of the Consent Holder under the resource consent; or
 - b. any forbearance or waiver of allowance of time by the Council in respect of any terms or conditions of the resource consent or in respect of any of the Consent Holder's obligations under the resource consent.

THIS Deed has been executed the day and the year first hereinbefore written.

SIGNED BY _____ as the Holder / Director/
 Authorised Signatory
(indicate which)

Name of signatory (Capitals) _____

Address of Signatory _____

In the presence of _____ Signature of Witness

Name of witness (Capitals): _____

Occupation of witness: _____

Address of witness: _____

SIGNED BY _____ as the Holder / Director/SuretyProvider

Authorised Signatory
(indicate which)

Name of signatory (Capitals) _____

Address of Signatory _____

In the presence of _____ Signature of Witness

Name of witness (Capitals): _____

Occupation of witness: _____

Address of witness: _____

SIGNED BY _____ as the Holder / Director/
Authorised Signatory
(indicate which)

Name of signatory (Capitals) _____

Address of Signatory _____

In the presence of _____ Signature of Witness

Name of witness (Capitals): _____

Occupation of witness: _____

Address of witness: _____
