



# Employer Payment Guarantee

for use with the  
JBCC Minor Works Agreement

## GUARANTOR DETAILS AND DEFINITIONS

Guarantor means \_\_\_\_\_

Physical address \_\_\_\_\_

Representative \_\_\_\_\_ Capacity \_\_\_\_\_

Representative \_\_\_\_\_ Capacity \_\_\_\_\_

Employer means \_\_\_\_\_

Contractor means \_\_\_\_\_

Agent means \_\_\_\_\_

Works means \_\_\_\_\_

Site means \_\_\_\_\_

Agreement means the JBCC Series 2000 Minor Works Agreement

Contract Sum means

Amount in words \_\_\_\_\_

Guaranteed Sum means the maximum aggregate amount of

Amount in words \_\_\_\_\_

Guarantee expiry date means

- 1.0 The Guarantor hereby acknowledges that:
- 1.1 Any reference in this Payment Guarantee to the Agreement is made for the purpose of convenience and shall not be construed as any intention whatsoever to create an accessory obligation or any intention whatsoever to create a suretyship
- 1.2 Its obligation under this Payment Guarantee is restricted to the payment of money
- 2.0 Subject to the Guarantor's maximum liability in terms of the Guaranteed Sum, the Guarantor hereby undertakes to pay the Contractor the sum certified upon receipt of the documents identified in 2.1 to 2.3:
- 2.1 A copy of a first written demand issued by the Contractor to the Employer stating that payment of a sum certified by the Agent has not been made in terms of the Agreement and failing such payment within seven (7) calendar days, the Contractor intends to call upon the Guarantor to make payment in terms of 2.2
- 2.2 A first written demand issued by the Contractor to the Guarantor at the Guarantor's *domicilium citandi et executandi* with a copy to the Employer stating that a period of seven (7) calendar days has elapsed since the first written demand in terms of 2.1 and that the sum certified has still not been paid therefore the Contractor calls up this Payment Guarantee and demands payment of the sum certified from the Guarantor
- 2.3 A copy of the payment certificate which entitles the Contractor to receive payment in terms of the Agreement of the sum certified in 2.0