



against the other under this Agreement or otherwise.

- (II) (a) If the lot is offered for sale by public tender and if the Applicant fails to tender at or above the minimum price or pay the deposit in the manner stipulated in the Tender Notice or withdraws the tender before the award of tender, the Director will be entitled to call upon the Bank according to the terms of the bank guarantee.
  - (b) If the Applicant submits a tender, the Applicant shall submit the deposit required to be submitted with the Form of Tender, and if the Applicant bids successfully for the lot by tender, the deposit will be applied in part payment of the premium tendered and the Applicant will pay the balance of the premium in accordance with the Conditions of Sale by Tender of the lot. The bank guarantee will be returned to the Applicant.
  - (c) If, for any reason, the lot is not made available for sale within three months from the date of this Agreement or the Applicant tenders at or above the minimum price but the tender is not accepted, the bank guarantee will be returned to the Applicant and this Agreement will terminate and neither party will have any further claims against the other under this Agreement or otherwise.
4. Nothing contained in this Agreement will prejudice the terms and conditions upon which the lot is to be sold.
  5. If the guaranteed sum specified under the bank guarantee has been fully paid by the Bank under clause 3(I)(a) or clause 3(II)(a) of this Agreement , neither party shall have any further claim whatsoever against the other under this Agreement or otherwise.
  6. The Government is not bound to sell at any bid submitted by the Applicant for the lot.

IN WITNESS whereof the Assistant Director/Lands Department, being duly authorized by the Chief Executive of the Hong Kong Special Administrative Region so to do, has signed this Agreement on behalf of the Government and the Applicant has/have set his/their hand(s)/and seals hereto the day and year first above written.

Witness to the signature of the Applicant :

Signature of the Applicant/Seal of the Applicant and authorized signature(s) (if the Applicant is a corporation) :

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Name in Capital Letters :

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Name in Capital Letters :

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.....

H.K.I.D. Card No .....

Address .....

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Witness to the signature of  
Assistant Director/Lands Department

For and on behalf of the  
Chief Executive of the Hong Kong  
Special Administrative Region

.....  
Civil Servant  
Lands Department

.....  
Assistant Director/Lands Department