

KINGDOM OF THAILAND

MINISTRY OF TRANSPORT AND COMMUNICATIONS

LEASE CONTRACT

FOR THE MANAGEMENT CONTAINER TERMINAL B 2

AT LAEM CHABANG PORT

รับมอบอำนาจ



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LEASE CONTRACT

for

THE MANAGEMENT CONTAINER TERMINAL B 2  
AT LAEM CHABANG PORT  
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This Contract is executed and delivered this 30th day of March 1993 at Laem Chabang Port, Toong Sukhla, Sri Racha, Chonburi 20230 between the Port Authority of Thailand represented by Vice Adm. Somnuk Debaval, Director General (hereinafter called "PAT") of the one part and Evergreen Container Terminal (Thailand) Ltd. incorporated under the law of Thailand with its registered business office at 108 Moo 14 Soi Kingthong, Kingkaew Road, Tambol Rajateva, Ampur Bangplee, Samutprakarn 10540 represented by Mr. Chang Kuo-Hua, Mr. Nivat Changariyavong, Mr. Krirkkla sonthimas, Mr. Pak Vivaddhanakasem (hereinafter called "the Terminal Leasing Company" or "TLC") of the other part.

Documents evidencing such registration of the Terminal Leasing Company and the authority of the person to sign on behalf of the Terminal Leasing Company are attached hereto together with two bank guarantees, the first as a Performance Guarantee in the amount of 30,000,000 Baht (Thirty Million Baht) and the second as a Lease Guarantee in the amount of 100,000,000 Baht (One hundred Million Baht).

The Port Authority of Thailand and the Terminal Leasing Company agree as follows:

1. Contract Documents

The following Appendices are attached to this Contract and are incorporated and made part of this Contract;

- Appendix A: Conditions of Contract
- Appendix B: Terms of Payment
- Appendix C: Port Tariffs
- Appendix D: Senior Personnel to the Project
- Appendix E: Business Plan
- Appendix F: Letter of Guarantee: Performance Guarantee
- Appendix G: Letter of Guarantee: Lease Guarantee
- Appendix H: Terminal Infrastructure
- Appendix I: Equipment

In the event of conflict between Appendix A and other Appendices, Appendix A shall prevail.

2. The PAT hereby allows and the TLC hereby agrees to lease The Container Terminal B 2 at Laem Chabang Port to further develop, manage, and operate according to the terms and conditions as laid down in this Contract and its Appendices.



นางสาวก้อง  
S. Deval



The TLC agrees to perform efficiently and faithfully all of the Services described in this Contract and its Appendices including the mobilisation of requisite staff, labour and equipment.

The TLC is allowed to retain revenues for the services it provides against a payment to the PAT as specified in the terms and conditions of this contract and its Appendices.

3. Notices :

All notices called for by the terms of this Contract shall be effective only at the time of receipt thereof or otherwise specified in this Contract and only when received by the parties to whom they are addressed at the following addresses:

Port Authority of Thailand  
The Port Director  
Laem Chabang Port  
Toong Sukhla, Sri Racha  
Chonburi 20230  
Fax 038-490142

Terminal Leasing Company  
Evergreen Container Terminal (Thailand) Ltd.  
108 Moo 14 Soi Kingthong, Kingkaew Road,  
Tambol Rajateva, Ampur Bangplee,  
Samutprakarn 10540  
TEL: 01-9177828, 01-9177829  
01-2135954, 01-2135955  
FAX: 326-8375

4. Integration

The PAT and the TLC agree that this Contract expresses all of the agreements, understandings, promises and covenants of the parties, and that it integrates, combines and supersedes all prior and contemporaneous negotiations, understandings and agreements, whether written or oral and that no modification or alteration of this Contract shall be valid or binding on either party, unless expressed in writing and executed with the same formality as this Contract, except as may otherwise be specifically provided for in this Contract.

- 4 -

อำนาจกมล  
S. Delaval

5. Counterparts

This Contract is executed in two(2) identical counterparts, one for the PAT and one for the TLC.

In witness whereof the parties sign and seal (if any):



The Port Authority of  
Thailand

*S. Debaval*

Vice-Admiral Somnuk Debaval  
Director General  
Port Authority of Thailand

Evergreen Container Termi-  
nal (Thailand) Ltd.

*[Signature]*  
Mr. Chang, Kuo-Hua  
Director



EVERGREEN CONTAINER TERM  
(THAILAND) LTD.

*[Signature]*  
Mr. Nivat Changaravong  
Director

*[Signature]*  
Mr. Krirkkla sonthimas  
Director

*[Signature]*  
Mr. Pak Vivaddhanakasem  
Director

Witness:

*[Signature]*  
Mr. Thavorn Chunnanond  
Deputy Director General (Adm.)

*[Signature]*  
Mr. Sala Chitchob  
Inspector

Witness:

*[Signature]*  
Capt. Chang, Fa-Wei

*[Signature]*  
Miss. Aunee Lertnawasrichai

รับรองเป็นสำเนาถูกต้อง

พย. ๖ -  
(พเชา นิตวาม)

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