

A DEFINITION OF TERMS

In the Tender and Contract, the following words and expressions shall have the meaning stated hereunder except where the context otherwise requires:

"Company" means Tuas Power Ltd (Company Registration No. 199502116G) / Tuas Power Generation Pte Ltd (Company Registration No. 200909292D) / TP Utilities Pte Ltd (Company Registration No. 200920924G) / Tuas Power Supply Pte Ltd (Company Registration No. 200004985K) / TP Asset Management Pte Ltd (Company Registration No. 200505009R) or subsidiaries of Tuas Power Ltd (as the case may be and as more particularly stated in the agreement), Singapore and shall include its assigns and successors in law and its duly authorised representatives.

"Contract" means and comprises the following :

- (1) The documents forming the Tender.
- (2) All correspondence exchanged between the Company and the Contractor between the date of the Tender and the date of the Contract executed by both parties pursuant to the Tender.
- (3) Letter of Acceptance by the Company to the Contractor.
- (4) Form of Agreement duly executed.

"Contractor" means the person or persons, firm or company whose tender has been accepted by the Company and includes the Contractor's duly appointed representatives, successors and permitted assigns.

"Contract Sum" means the sum named in the Letter of Acceptance subject to such additions thereto or deductions therefrom as may be made under the provisions hereinafter contained.

"Day works" means works executed and charged for on a time and material basis.

"Defects Liability Period" means the defects liability period as set out in the Appendix.

"Drawings" means all drawings issued to or to be provided by the Contractor in accordance with the provisions of the Contract.

"Form of Guarantee" means the form of guarantee set out in the Tender or such other form of guarantee as determined by the Company.

"Retention Sum" means the sum retained by the Company in accordance with the terms of the Contract.

"Schedule of Tender Rates/Prices" means that schedule wherein are specified the prices of individual items of the works.

"Security Deposit" means the security deposit provided by the Contractor to the Company in accordance with the terms of the Contract.

"Site" means the actual place/places designated by the Superintending Office where the goods, materials and plant are to be supplied/delivered and installed or works executed.

"Specification" means the specification referred to in the Tender and Contract and includes general specification, technical specification and drawings and any modification thereof or addition thereto as may from time to time be furnished or approved in writing by the Superintending Officer.

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"Sub-contractor" means any person (other than the Contractor) named in the Contract for any part of the works or any person to whom any part of the contract has been assigned with the consent in writing of the Superintending Officer and the legal personal representatives, successors, and assigns of such person.

"Superintending Officer" means any officer authorized by the Company.

"Superintending Officer's Instructions" means the instructions relating to the Works issued by the Superintending Officer.

"Tender" means the tender documents duly completed and submitted by the Tenderer to the Company.

"Works" means the works to be execution in accordance with the Contract including all permanent works and temporary works and any plant to be supplied, delivered and installed under the Contract.

The headings and marginal notes in the General Conditions of Contract, Special Conditions of Contract and the Specification shall not be deemed to be part thereof or be taken into consideration in the interpretation or construction of the Contract.