

## LIQUIDATED DAMAGES FOR BREACHING STOCKPILE HEIGHT RESTRICTION

<b>X</b> <b>Actual Height In</b> <b>Metres Above Max</b> <b>Stockpile Height</b> <b>Permissible</b>	<b>Basic Sum</b> <b>Payable</b> <b>(\$)</b>	<b>Additional Sums</b> <b>Payable ( \$ per 0.1m</b> <b>or part thereof</b> <b>above Y<sup>(1)</sup> )</b>	<b>Suspension</b> <b>Period<sup>(2)</sup></b>
X ≤ 0.50m	6,000	500	-
0.50m < X ≤ 1.00m	6,500	500	1 weeks
1.00m < X ≤ 1.50m	7,500	500	2 weeks
1.50m < X ≤ 2.00m	12,500	500	3 weeks
Above 2.00 metres	22,500	500	Subject to the Licensor's discretion, including but not limited to termination

**Liquidated Damages Payable = Basic Sum Payable + Additional Sums Payable**

Notes

(1) Maximum Stockpile Height permissible

(2) In the case of a suspension being imposed on the Plot and that the Licensee holds more than one storage plot at the Aggregate Terminal, the Licensee shall only be allowed to berth barges at the Berthing/Mooring Area, unload Aggregates from the barges and store Aggregates at unaffected Aggregate Storage Plot(s). Prior to any unloading, the Licensee shall submit to the Berth Operator the plot(s) on which the Aggregates will be unloaded and stored as well as such other information as may be required by the Licensor.