

ENFORCEABLE UNDERTAKING

Renewable Energy (Electricity) Act 2000

Section 154Q

Undertaking to the Regulator given for the purposes of section 154Q of the
Renewable Energy (Electricity) Act 2000

by

DR GREEN SUSTAINABLE ENERGY PTY LTD ABN 43145132065

Glossary

1. In this Undertaking, unless the contrary intention appears, the definitions in section 5 of the Act, regulation 3 of the Regulations, and this clause apply:

"Act" means the *Renewable Energy (Electricity) Act 2000*;

"certificate" means a renewable energy certificate;

"REC Registry" means the public registry of information maintained by the Regulator in accordance with Part 13 of the Act and which is published at <http://www.rec-registry.gov.au>;

"Regulations" means the *Renewable Energy (Electricity) Regulations 2001*;

"Regulator" means the Clean Energy Regulator; and


"Dr Green" means DR GREEN SUSTAINABLE ENERGY PTY LTD.

Person giving Undertaking

2. This Undertaking is given by Dr Green for the purposes of section 154Q of the Act.

Parties

3. The Regulator is a statutory agency with responsibility for administering and enforcing the Act and Regulations.
4. Dr Green is a duly incorporated company engaged in trade or commerce in Australia.
5. Dr Green is a registered person under Part 2, Division 2 of the Act.


27th February 2014

The creation of certificates

6. Under the Act, registered persons can create certificates for energy generated from certain renewable sources.
7. Regulation 20AC of the Regulations sets out the conditions which must be satisfied, including information provision requirements, before certificates can be created for a small generation unit.
8. Certificates only become valid once they have been registered by the Regulator.

Non-Compliance with Act


9. The Regulator considers that, during the period 13 June 2013 to 2 August 2013, Dr Green provided documents containing incorrect information about the installation of 31 photovoltaic systems to a second person.
10. The second person relied on that information to create certificates that they were not entitled to create.

Acknowledgements

11. Dr Green acknowledges that the basis on which the Regulator has formed its conclusion is valid and that the matter requires immediate attention.
12. Dr Green acknowledges that:
 - a. the Regulator will make this Undertaking publicly available, including publishing it on the Regulator's website;
 - b. the Regulator and Officials of the Regulator will, from time to time, make public reference to this Undertaking and the circumstances giving rise to this Undertaking; and
 - c. this Undertaking in no way derogates from the rights and remedies available to any other person arising from any conduct of Dr Green; and
 - d. they did not have in place, at the time, sufficient processes to identify inconsistencies in documentation nor did they exercise due diligence to ensure compliance with the Act.

Undertaking

13. Under section 154Q of the Act, the Regulator may accept a written undertaking given by a person that, the person will take, or refrain from taking, specified actions.
14. Dr Green undertakes to, on or before **30 April 2014**, subject to clause 15, have an accredited CEC installer return to each installation site listed in **Attachment 1** to inspect the installed PV system.
15. Inspections must only be undertaken with the approval of the system owner and resident.


27th February 2014

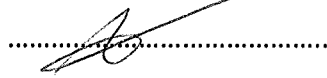
16. In the event that one or more system owners or residents cannot be contacted or do not wish to allow a re-inspection, Dr Green also undertakes to provide to the Regulator a statutory declaration, made by a Dr Green director, listing all such system owners and residents, with a declaration that all reasonable steps have been made to contact them and offer them a re-inspection.
17. Upon completion of the inspections, Dr Green undertakes to provide the Regulator with a statutory declaration, made by the nominated CEC installer, that the PV installations and electrical work meet the requirements for the issue of certificates.

Duration of Undertaking

18. This Undertaking comes into effect from **27th February 2014**.
19. This Undertaking ceases to have effect once the requirement of clause 18 has been completed.


Executed by

By its authorised officers pursuant to s 127(1) of the *Corporations Act 2001*

.....

Ahmed Ismail
Director/Secretary

This 27th day of February 2014

Accepted by the Regulator pursuant to section 154Q of the *Renewable Energy (Electricity) Act 2000*.


.....

Mark Williamson

Delegate of the Regulator

This 14th day of MARCH 2014.