

# Actsmart Business Energy and Water program

## TERMS AND CONDITIONS

### 1. The Actsmart Business Energy and Water program

- 1.1 The Actsmart Business Energy and Water program (Program) provides cash rebates to eligible entities who undertake eligible energy or water efficiency upgrades at eligible premises in the Australian Capital Territory (Territory) (see section 3 for eligibility).
- 1.2 An eligible entity will be entitled to be refunded 50% of the cost of water or energy efficiency upgrade works, up to a maximum of \$5,000 (inclusive of GST), identified by the Actsmart assessor in the Energy and Water Action Plan provided the works are undertaken in accordance with the terms and conditions of the Program.
- 1.3 Eligible entities are entitled to receive a rebate for works done at an eligible premises, with one premises per ABN permitted to join the Program.
- 1.4 To be eligible, the entity must meet all of the following eligibility requirements and, by participating in the Program, will be deemed to have agreed to all of these terms and conditions.
- 1.5 Embassies may participate in the Actsmart program, however embassies are not entitled to any rebates under the Program.

### 2. Assessment by Actsmart Assessor

- 2.1 Upon Actsmart receiving a completed Program Registration Form (available from the Actsmart website), an Actsmart representative will contact the person to schedule an energy and water assessment by an Actsmart assessor at the entity's eligible premises.
- 2.2 When submitting the Program Registration Form, the entity must include a copy of a recent energy and water bill from the eligible premises.
- 2.3 The energy and water assessment will take approximately 1 hour, depending on the size of the eligible premises. Within 14 days from the date of the assessment, Actsmart will send a tailored Energy and Water Action Plan to the entity's nominated contact detailing the energy and water efficiency measures that have a return on investment (ROI) between 1 and 180 months, which will be eligible for rebate once approved by Actsmart as per clauses 3.2 and 3.3.

### 3. Eligibility

- 3.1 Eligible entities are businesses, enterprises, owners corporations (or body corporate) or embassies that satisfy the following eligibility requirements.

#### **To be eligible as a business or enterprise (including not for profit organisations):**

- 1) the business must not be a government, government-controlled entity or government owned entity, nor a body corporate. In this section government means an Australian State, Territory or Commonwealth Government; and
- 2) the business and staff must operate from the registered premises which must be in the Territory; and
- 3) operations of the business at the eligible premises must generate electricity bills that total no more than \$20,000 per annum (inclusive of GST); and/or
- 4) the number of full-time equivalent employees working at or from the premises must not exceed 10; and
- 5) the premises must not be residential premises (regardless of whether they are also used as a business or enterprise); and
- 6) a maximum of one business per ABN can be registered with the Program.

#### **To be eligible as an owners corporation (as defined by section 8 of the Unit Titles (Management) Act 2011):**

- 7) the owners corporation must not be a government, government-controlled or government owned entity; and
- 8) operations of the owners corporation at the eligible premises must generate electricity bills that total no more than \$20,000 per annum (inclusive of GST); and/or
- 9) the number of full-time equivalent employees of the owners corporation must not exceed 10; and
- 10) a maximum of one owners corporation per ABN can be registered with the Program; and
- 11) the owners corporation may be residential or commercial; and
- 12) the Program only applies to the common property of the owners corporation at the eligible premises.

#### **To be eligible as an embassy:**

- 13) The embassy and staff must operate from the registered premises which must be in the Territory.
- 14) As indicated in 1.5, embassies are not eligible to claim a rebate under the Program. Accordingly clauses 3.2 to 3.12 (inclusive) do not apply to embassies.

### Pre-Approval Form

- 3.2 The eligible entity is responsible for obtaining quotes for the works to be undertaken under the Program. Prior to the eligible entity having works undertaken in accordance with the Program at its eligible premises, the entity must complete and submit the Program Pre-Approval for Rebate Form for approval of the quote by the Territory.
- 3.3 The Program Pre-Approval for Rebate Form must be approved by the Territory before the eligible entity can commence the works under the Program and be eligible to apply for a rebate.

### Applying for a rebate

- 3.4 To receive a rebate:
  - 1) the eligible entity must have completed and paid for the works; and
  - 2) the eligible entity must have completed, signed and submitted the Program Rebate Claim Form (available from Actsmart) to Actsmart no later than 3 months from the date the Energy and Water Action Plan is provided to the eligible entity.
- 3.5 The rebate will reimburse 50% of the cost of works undertaken and products installed, up to a maximum of \$5,000 (inclusive of GST), at eligible premises in accordance with the Energy and Water Action Plan.
- 3.6 No rebate will be paid for any upgrade works or product installations that were not recommended in the Actsmart assessor's Energy and Water Action Plan for the premises.
- 3.7 All works and installations must be undertaken in accordance with all legal requirements, by a licensed tradesperson where required by law, and all products and works must meet all applicable Australian standards and regulations.
- 3.8 Where a fluorescent tube (of any length) or halogen downlight fixture has been included in the eligible actions for upgrade, Actsmart has specific requirements for how the upgrade is to be carried out to ensure the maximum energy efficiency benefits are realised. A document outlining the requirements for these lamp upgrades is available from Actsmart and should be passed onto the electrician or lighting specialist to ensure the requirements are met.
- 3.9 For an owners corporation, the Program only applies to the common property lighting of the eligible premises.

### Participation in the Program

- 3.10 The eligible entity agrees to a site check of the premises by a person authorised by the Environment, Planning and Sustainable Directorate where the works were undertaken or products installed as a result of the Program.
- 3.11 For a business or enterprise:
  - 1) Where the premises is not owned by the business, the business warrants it has the authority of the landlord, landowner or leaseholder (as the case may be) to have the works undertaken at the premises.
  - 2) The business must provide written authorisation from the landlord, landowner or leaseholder (as the case may be) of the premises consenting to the works being undertaken, if requested.
- 3.12 For an owners corporation:
  - 1) The owners corporation warrants that it is only applying for the Program in relation to the common property lighting of the owners corporation.
- 3.13 The eligible entity agrees to ActewAGL or other electricity or water supplier disclosing the electricity and water consumption data for the eligible entity to Actsmart. The data collected will be used to evaluate the energy and water savings as a result of the Program.

### 4. Indemnity

- 4.1 The eligible entity (as identified in the Program Registration Form) indemnifies the Territory, its employees and agents against liability in respect of all claims, costs and expenses for all loss, damage or injury to persons or property caused directly or indirectly by the eligible entity in connection with the eligible entity's participation in the Program.

### 5. Recognition

- 5.1 After reimbursement of the rebate on energy or water efficiency upgrades at the eligible premises of the eligible entity as a result of the Program, an entity will receive a certificate of participation which recognises their efforts to reduce energy and water use, and to lower greenhouse gas emissions.

### 6. Expiry date of Program and Program changes

- 6.1 Actsmart reserves the right to change any or all of these terms and conditions or cancel the Program in its absolute discretion and will notify the eligible entity of any such change within 14 days from the date of change.
- 6.2 The Territory will not be liable to make any payment of a rebate or any other compensation to an applicant who has undertaken works but does not submit the required forms on time (as specified in clause 3.4), or have the works completed prior to the cancellation of the Program, or otherwise has not complied with the terms and conditions of the Program.
- 6.3 Notwithstanding clause 6.2, the Territory in its absolute discretion may grant to the eligible entity an extension of a further 3 months for the entity to have the works completed under the Program at its eligible premises, provided that the entity submits a written application to Actsmart requesting an extension prior to the expiry date specified in clause 3.4. Actsmart will advise the eligible entity within 7 days from receipt of the application whether an extension has been granted.

### 7. Privacy notice

- 7.1 The personal information on this form is provided to EPSDD to enable the processing of your application. If all or some of the personal information is not collected EPSDD cannot process your application. The Directorate will not share this personal information with other government agencies or other organisations except in accordance with the *Information Privacy Act 2014* or as required by another law. The EPSDD Information Privacy Policy can be found on the EPSDD website, under the About Us menu. The Information Privacy Policy Annex contains information in regard to what information EPSDD collects and to whom it is disclosed. The policy also contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the ACT Privacy Principles.