

ENFORCEABLE UNDERTAKING
Renewable Energy (Electricity) Act 2000

Section 154Q

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

by

GT TRADE SOLUTIONS PTY LTD

ACN 164034584

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;

"STCs" means small-scale technology certificates;

"GT Trade Solutions " means GT Trade Solutions Pty Ltd ACN 164034584; and

"Schedule" means the document, attached and marked as **Annexure 1**, to this Undertaking listing all installation addresses subject to the actions in the Undertaking.

Person giving Undertaking

2. This Undertaking is given to the Regulator by GT Trade Solutions 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. GT Trade Solutions is a duly incorporated company engaged in trade or commerce in Australia.


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Garry O'Connor (Director GT Trade Solutions)


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(Clean Energy Regulator Delegate)

The creation of certificates

5. Under the Act, registered persons can create certificates for energy generated from certain renewable energy sources.
6. Regulation 20AC of the Regulations sets out the conditions which must be satisfied before certificates can be created in respect of a small generation unit.
7. Designers and installers of units must be accredited by either the Australian Business Council for Sustainable Energy or the Clean Energy Council and must comply with the Clean Energy Council's Code of Conduct.

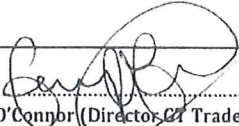
Non-compliance with the Act

8. Investigations undertaken by the Regulator have confirmed that:
 - a. On 212 occasions between October 2013 and February 2014, GT Trade Solutions submitted documents, namely STC assignment forms, containing incorrect information, to a second party;
 - b. the incorrect information included the details and signature of an installer who did not install or supervise the 212 solar PV systems referred to in paragraph 9.a;
 - c. this information was relied on by a second person to create STCs; and
 - d. 21,666 STCs have been created and passed for the 212 installations.

Acknowledgements

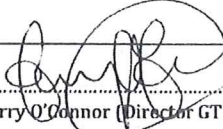
9. The Regulator acknowledges that the Director of GT Trade Solutions was cooperative and showed contrition and did, at the first available opportunity, make full admissions to the allegations and initiated actions to rectify the situation in a timely manner.
10. GT Trade Solutions acknowledges that the basis on which the Regulator has formed its conclusion is valid and that the matter requires immediate attention.
11. GT Trade Solutions acknowledges that:
 - a. the Regulator will make this Undertaking publicly available, including by 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 by GT Trade Solutions.

Undertaking


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Garry O'Connor (Director of Trade Solutions)


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(Clean Energy Regulator Delegate)

12. 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 – specified actions.
13. GT Trade Solutions does by **5 pm on 30 April 2015**, and subject to clause 14, undertake and provide to the Regulator the below:
 - a. arrange for an accredited CEC installer to return to each installation site listed in the Schedule to re-inspect the installed solar PV systems;
 - b. undertake, if required, any modification/repairs to ensure the solar PV systems inspected in 13.a. comply with the Clean Energy Council guidelines and all state and local requirements;
 - c. take photos of each inspected installation and document any modifications/repairs undertaken as referred to in 13.b;
 - d. upon completion of the inspections, provide the Regulator with a statutory declaration, prepared by the CEC installer who carried out the inspections, stating the time and date the systems were inspected and that they meet CEC guidelines and all state and local requirements;
 - e. Provide the information referred to in 13.a., 13.b., 13.c. and 13.d. to the Regulator on a weekly basis;
 - f. If unforeseen circumstances prevent the undertaking of 13.a. the Regulator is to be notified in writing, with the reasons, as soon as practical.
14. Inspections must only be undertaken with the approval of the system owner and resident.
15. In the event that one or more system owners or residents cannot be contacted or do not wish to allow a re-inspection, GT Trade Solutions also undertakes to provide to the Regulator a statutory declaration, prepared by the GT Trade Solutions 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.
16. This Undertaking comes into effect when:
 - a. the Undertaking is executed by GT Trade Solutions; and
 - b. the Regulator accepts the Undertaking so executed by GT Trade Solutions.
17. This Undertaking ceases to have effect once the requirements of clauses 13 and 15 have been completed.
18. The Regulator can take action under section 154 R of the Act for failure to comply with this Enforceable Undertaking.

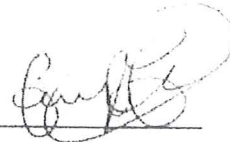

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Garry O'Connor (Director GT Trade Solutions)


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(Clean Energy Regulator Delegate)

EXECUTED by GT Trade Solutions Pty)
Ltd (ACN 164 034 584) in accordance)
with the requirements of section 127)
of the Corporations Act 2001 by:

Gary O'Connor - Director

(Signature)



(Date)

30/1/15

and by:

TYSON STRONACH

(Name of Director/Secretary)



(Signature)

30.01.15

(Date)

ACCEPTED by the Clean Energy)
Regulator (ABN 72 321 984 210), a)
body corporate established under)
the Clean Energy Regulator Act 2011)
(Cth), on behalf of the)
Commonwealth of Australia by:

MARK WILLIAMSON



(Signature)

13/02/2015

(Date)

Garry O'Connor (Director GT Trade Solutions)



(Clean Energy Regulator Delegate)