

UNDERTAKING TO THE CLEAN ENERGY REGULATOR

Undertaking to the Clean Energy Regulator given for the purposes of section 45 of the
National Greenhouse and Energy Reporting Act 2007

by

Beach Energy Limited

1. Glossary

- 1.1. In this Undertaking, unless the contrary intention appears, the following definitions apply:

Act means the *National Greenhouse and Energy Reporting Act 2007*.

Beach Energy means Beach Energy Limited (ABN 20 007 617 969).

Business day means a day that is not a Saturday, a Sunday or a declared public holiday in South Australia (SA).

Facility has the meaning given by section 9 of the Act.

NGER means National Greenhouse and Energy Reporting.

Regulations means the National Greenhouse and Energy Reporting Regulations 2008.

Regulator means the Clean Energy Regulator.

Report means an energy and emissions report submitted to the Regulator pursuant to section 19 and section 22XB of the Act.

Safeguard rules means the National Greenhouse and Energy Reporting (Safeguard Mechanism) Rule 2015 made under subsection 22XS(1) of the Act.

System of Controls means the policies, procedures, and governance mechanisms implemented to manage risks and achieve control objectives, to ensure the accurate, complete and compliant collection, calculation and reporting of NGER data.

Undertaking means this Enforceable Undertaking.

2. Person giving undertaking

- 2.1. This Undertaking is given to the Regulator by Beach Energy for the purposes of section 45 of the Act.

3. Background

- 3.1. Beach Energy is an Australian company, incorporated on 12 December 1961.

- 3.2. Beach Energy is a corporation registered under section 17 of the Act.
- 3.3. The Act sets out a number of reporting obligations for registered corporations.

Reporting

- 3.4. The Act requires the registered controlling corporation to report on the activities of Facilities under the controlling corporation's operational control and the Facilities under operational control of the controlling corporation's corporate group for each financial year they are registered.
- 3.5. Sections 19, 22G, 22X and 22XB of the Act set out the obligations of registered corporations to report.
- 3.6. Beach Energy is required to report under section 19 and 22XB of the Act.
- 3.7. Under paragraph 19(6)(d) of the Act, a Report must be submitted to the Regulator before the end of four months after the end of the financial year. This means by midnight (AEDT) 31 October each year or, if 31 October is not a business day, the Report must be submitted to the Regulator by midnight (AEDT) of the first business day following 31 October.
- 3.8. Beach Energy acknowledges that it has, in previous Reports, inadvertently misstated certain components of its greenhouse gas emissions, energy production and energy consumption from Facilities under its operational control and under the operational control of members of its corporate group.
- 3.9. Beach Energy has cooperated with the Regulator in coming to an agreeable outcome and is committed to ensuring future compliance with its reporting obligations.

4. Terms of the Undertaking

- 4.1. Subsection 45(1) of the Act states that the Regulator may accept any of the following Undertakings:
 - (a) a written undertaking that the person will take specified action, in order to comply with the provisions of the Act, the Regulations or the Safeguard rules;
 - (b) a written undertaking that the person will refrain from taking specified action in order to comply with the provisions of the Act, the Regulations or the Safeguard rules;
 - (c) a written undertaking that the person will take specified action directed towards ensuring that the person:
 - (i) does not commit a contravention of the Act, the Regulations or the Safeguard rules; or

- (iii) is unlikely to commit a contravention of the Act, the Regulations or the Safeguard rules in the future;
- (d) a written undertaking of a kind specified in the Regulations made for the purposes of subsection 45(1) of the Act.

4.2. Beach Energy hereby undertakes, at its own cost and expense, to:

Documented System of Controls

- (a) On or before 4th August 2025, engage an external consultant with specialised expertise to support the development of a System of Controls.
- (b) On or before 4th September 2025, with the assistance of the external consultant, produce a report summarising the current documented and practiced controls and which identifies weaknesses in the current control environment.
- (c) On or before 4th February 2026, develop and implement a comprehensive and documented System of Controls to support operational control decision-making for NGER reporting.
- (d) On or before 4th April 2026, document an internal assurance methodology to test the effectiveness of the System of Controls.
- (e) Within 3 months post the Report lodgement date for the 2024-2025, 2025–2026 and 2026–2027 reporting years¹, review the effectiveness of the documented System of Controls for the previous reporting period and ensure any weaknesses are addressed before the submission of Beach Energy’s Report for the next reporting period. This review is to ensure the System of Controls continues to be fit for purpose to support the control objective to prepare compliant Reports.

Improvements to Internal Beach Energy Systems and Procedures

- (f) By 31 July 2025:
 - (i) embed external calculations of fugitive and higher order emissions into the NGER reporting tool, enabling end-to-end processing of key data;
 - (ii) document all information sources captured by the NGER reporting tool;
 - (iii) formalise responsibilities for the compilation and reporting of data for inclusion in Reports; and

¹ For the 2024-2025 reporting period, the review of the effectiveness of the documented System of Controls will take into account and have regard to, the partially complete status of that System of Controls if not fully documented by that time.

- (iv) formalise responsibilities for the application of internal quality control checks on the compilation and reporting of data for inclusion in Reports.

External Assurance

- (g) For the purposes of Beach Energy's NGER reporting during the period of the Undertaking, Beach Energy will:
 - (i) engage an external auditor to conduct reasonable assurance of Beach Energy's Reports;
 - (ii) ensure that the System of Controls² is applied to its NGER reporting prior to the commencement of independent external assurance.
- (h) The external auditor will be an individual registered as a National Greenhouse and Energy Auditor who does not have direct professional responsibility or association with Beach Energy. The auditor will need to be able to demonstrate their independence from Beach Energy.
- (i) All reasonable assurance audits to be conducted under clause 4.2(g)(i) will be performed in accordance with the National Greenhouse and Energy Reporting (Audit) Determination 2009.
- (j) Reasonable assurance audits are to be conducted prior to the submission of the Report for the 2024-2025, 2025-2026 and 2026-2027 financial years, on all Facilities under its operational control and under the operational control of members of its corporate group.
- (k) Beach Energy will provide the Regulator with a copy of the final audit report within 10 business days of its completion.

Provision of documents

- (l) Beach Energy will provide a copy of any document required by the Regulator for the purpose of ensuring compliance with this Undertaking. Beach Energy must disclose to the Regulator a copy of any document so requested within 10 business days of any request.

5. General

- 5.1. Where an event or issue occurs that may prevent the fulfilment of any clause of the Undertaking within a specified timeframe, the Regulator will not consent to vary the dates specified unless a request that outlines the event or issue and reasons why the variation is required is submitted in writing as soon as reasonably practicable after the event or issues occurs, but no later than 5 business days prior to the specified date.

² For the 2024-2025 reporting period, the System of Controls in existence at the time will be applied to Beach Energy's annual reporting, if not fully documented by that time.

- 5.2. When considering whether to grant an extension under clause 5.1, the Regulator must act reasonably at all times.
- 5.3. For the avoidance of doubt, nothing in clause 5 obliges the Regulator to grant a request for an extension to any timeframe.

6. Acknowledgements

6.1. Beach Energy acknowledges:

- (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;
- (c) this Undertaking in no way derogates from the rights and remedies available to any other person arising from any conduct of Beach Energy;
- (d) it undertakes to pay all costs associated with its compliance with this Undertaking; and
- (e) breaching this Undertaking may result in the Regulator enforcing this Undertaking through the Federal Court.

7. Commencement of Undertaking

7.1. This Undertaking comes into effect when:

- (a) the Undertaking is executed by Beach Energy; and
- (b) the Regulator accepts the Undertaking so executed.


7.2. This Undertaking ceases to have effect once the requirements of clause 4.2 of this Undertaking have been completed.

Executed by

Beach Energy Limited (ABN 20 007 617 969) in accordance with subsection 127(1) of the Corporations Act 2001 (Cth):

Signature of director 

Name of director (block letters) BRETT WOODS

Signature of ~~director~~/company secretary* 

Name of ~~director~~/company secretary* (block letters) CHRISTIAN PAECH

**delete whichever is not applicable*

This27..... day ofJune.....2025

Accepted by the Clean Energy Regulator pursuant to section 45 of the *National Greenhouse and Energy Reporting Act 2007*

Signature 

Name CARL RINNING

Position Executive General Manager Scheme Operations

This3..... day ofJuly.....2025